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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Third periodic reports submitted by States parties under articles 16 and 17 of the Covenant in accordance with the programmes established by Economic and Social Council resolution 1988/4

Addendum

CYPRUS*

[2 May 1996]

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* The second periodic reports concerning rights covered by articles 6 to 9 (E/1984/7/Add.13) and by articles 10 to 12 (E/1986/4/Add.2 and 26) submitted by the Government of Cyprus were considered by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights at its 1984 session (see E/1984/WG.1/SR.18 and 22) and by the Committee on Economic, Social and Cultural Rights at its fourth session (see E/C.12/1990/SR.2, 3 and 5) in 1990.

The appendices referred to in the present report are available for consultation in the secretariat.

The information submitted by Cyprus in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.28).

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Introduction

1. Most of the economic, social and cultural rights embodied in Part II of the International Covenant on Economic, Social and Cultural Rights are adequately safeguarded by the Constitution of Cyprus, Part II, on Fundamental Rights and Liberties.

2. The Covenant also forms part of the municipal law of Cyprus by virtue of its ratification which has been effected by Law No. 14 of 1969. Hence, following this ratification the Covenant has acquired superior force to any other municipal law, in accordance with paragraph 3 of article 169 of the Cyprus Constitution.

3. The Republic of Cyprus has submitted, under articles 16 and 17 of this Covenant and in accordance with Economic and Social Council resolution 1988 (LX), reports on the Covenant as follows:

(a) The initial report concerning the rights covered by articles 6 to 9 of the Covenant was submitted on 25 August 1978 (E/1978/8/Add.21) and was considered by the Sessional Working Group of Governmental Experts on the Implementation of this Covenant at its 1980 session. The second periodic report was submitted on 4 January 1984 (E/1984/7/Add.13) and was considered in the same year;

(b) The initial report concerning the rights covered by articles 10 to 12 of the Covenant was submitted on 24 September 1979 (E/1980/6/Add.3) and was considered by the Sessional Working Group of Governmental Experts at its 1981 session. The second periodic report was submitted on 26 September 1985 (E/1986/4/Add.2) and was considered in 1986. An addendum, containing supplementary information to the second periodic report concerning rights embodied in articles 10 to 12, was submitted on 30 January 1989 (E/1986/4/Add.26) and was considered in 1990;

(c) The initial report concerning rights covered by articles 13 to 15 was submitted on 15 February 1983 (E/1982/3/Add.19) and considered in the same year by the Sessional Working Group of Governmental Experts. Unfortunately, since then no additional report has been submitted.

Comparison of the periodic reports which have been submitted

4. Concerning article 6 of the Covenant:

(a) Both the initial and the second reports refer to articles 10, 25 and 28 of the Constitution, the relevant Conventions of the International Labour Organization and articles 1, 9 and 15 of the European Social Charter that the Republic of Cyprus has ratified. At the time of the preparation of the second periodic report, the Republic had ratified two more ILO conventions namely, Convention No. 142 concerning Vocational Guidance and Vocational Training in the Development of Human Resources and Convention No. 150 concerning Labour Administration;

(b) In the area of legislation regarding termination of employment a great change can be noted since the submission of the initial report;

(c) With regards to labour policy and measures, reference is made in the initial report to the First Emergency Economic Action Plan for 1975-1976. The second periodic report describes and evaluates the Second Emergency Economic Action Plan which covered the period 1977-1978 and the Third Emergency Economic Action Plan which covered the period 1978-1981. Moreover, it refers to the Fourth Emergency Economic Action Plan which started in 1982 but was not completed by the time the second periodic report was submitted. Finally, the second periodic report analyses other measures that had been adopted during the period under review aiming at increasing productivity, combating unemployment, increasing the participation of women in the labour force, and providing industrial and other training.

5. Concerning article 7:

(a) Both reports refer to the same methods for fixing wages, the granting of bonuses and allowances to cover cost-of-living differentials;

(b) Each report depicts the level of wages and prices in the period under review;

(c) At the time of preparation of the second report the issue of minimum wage fixing was under review;

(d) Regarding safe and healthy working conditions, both reports refer to the Factories Law, Cap. 134 as the principal law providing for the safety, health and welfare of all people working in premises that come under the definition of "factory". However, since the submission of the initial report a series of additional legislative measures were enacted which include:

(i) The Electricity (Factories), Special Regulations of 1981 which aim at safeguarding workers against particular occupational risks not previously covered by the existing legislation;

(ii) The Agricultural Works (Safety, Health and Welfare) Regulations of 1982 and the Factories (Amendment) Law of 1982 aiming at protecting the safety and health of people working in branches of economic activity for which no special legislation previously existed;

(iii) The Control of Factory Atmosphere and Dangerous Substances (Amendment) Regulations of 1981 and the Standards for Health Provisions (Amendment) Regulations of 1981 which aim at updating existing occupational safety and health standards in the light of international and local experience and knowledge, for the more effective protection of people at work.

Moreover, during the period under review in the second report, the Government of Cyprus took further action by adopting administrative and other measures for the most

effective protection of the safety and health of the workers (e.g. it signed the Common Declaration on the Safety, Health and Welfare of Workers);

(e) Finally, the number of industrial accidents reported during 1981 was greater than that reported during 1976 and a review of the reported industrial accidents during these years show that those which occurred in the building industry continue to constitute the greatest percentage of cases;

(f) Regarding equal opportunity for promotion, no fundamental changes have occurred and both reports refer to the same principal laws, regulations, arrangements and procedures as well as to the same factors and difficulties;

(g) As far as the principal laws and regulations on rest, leisure and limitation of working hours the position remains the same over the periods covered by the reports. However, in the area of holidays with pay a great change has been effected since 1979 by enacting laws and regulations which introduced valuable improvements.

6. Concerning article 8, both reports deal with the same laws as far as trade union rights are concerned.

7. Concerning article 9, between the submission of the initial report and the submission of the second, fundamental changes had been effected to the Cyprus Social Insurance Scheme, especially with the enactment of Law No. 41 of 1980 which amended and consolidated the previous Social Insurance Laws. These changes are outlined in the second report.

8. The second periodic report, as well as the addendum to it, concerning the rights embodied in articles 10-12 of the Covenant deal with the developments that have taken place since the submission of the initial report.

9. Since this is the first report covering all articles of the Covenant certain parts or paragraphs which were included in previous reports were repeated in this report for the purpose of giving it a complete consolidated form. Reference is made in the report to statistical and other information which is to be found in appendices. Each appendix relates to a particular article of the Covenant and each one contains a number of documents.

10. The Republic of Cyprus expresses its regret for the delay in submitting the report and assures the Committee that this will not occur in the future owing to other arrangements which have been made relating to the preparation of the reports which are submitted under various international covenants or conventions and for the alignment of the municipal legislation to the provisions of the said covenants.

Article 1

11. The Republic of Cyprus respects the right of all peoples to self-determination as defined in the Covenant (and which, as stated in the Introduction, forms part of the Cyprus municipal law). Furthermore, in accordance with paragraph 4 of article 1 of the Covenant, the Republic of Cyprus has always, since its emergence from colonial rule to independence

in 1960, been in the vanguard of all peoples fighting for the exercise of their right to self-determination and has supported them with all means at its disposal.

12. In Cyprus, democratic elections are held enabling its people to determine their political status and to pursue in a free manner their economic, social and cultural development. In addition to the election of President of the Republic and the election of representatives for the House of Representatives, there are free elections for chairpeople of authorities for local administration.

13. The authorities for local administration are the municipalities, the improvement boards and the village commissions. A town is divided into quarters and for each quarter there is a commission. The municipal elections are conducted every five years, for the election of the mayor and the members of the municipal commissions. The members of the municipal commission vary in number according to the population of the municipal area. There are 6 members for areas with not more than 8,000 people and 26 for areas with more than 45,000 people. The right to vote is accorded to every resident of the municipal area who is of the age of 18 years. The exercise of the right to vote is compulsory. The law in force regulating municipalities is the Municipal Law of 1985 (No. 111 of 1985).

14. The elections are conducted freely and in an orderly manner. In the law, there is a provision for the creation of new municipalities. The last elections of existing municipalities were conducted in 1991 and there were no objections or complaints about the manner in which they were conducted. In April 1994 there were elections for members of newly constituted municipalities which again were conducted in an orderly manner without any incidents and without objections.

Article 2

15. The principle of non-discrimination regarding the enjoyment and protection of the rights and liberties recognized in the Constitution of Cyprus is safeguarded by the provisions of article 28 (2) of the Constitution of Cyprus which provides that "every person shall enjoy all the rights and liberties provided for in this Constitution without any direct or indirect discrimination against any person on the ground of his community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class, or on any ground whatsoever, unless there is express provision to the contrary in this Constitution".

16. Non-nationals enjoy the same rights as nationals, but to the extent they do not come into conflict with the sovereign rights of the State regarding aliens.

17. The Government of Cyprus, in implementing the various development cooperation agreements, exerts every possible effort to promote economic, social and cultural rights, in line with the International Covenant on Economic, Social and Cultural Rights. In particular, the Government of Cyprus cooperates with various international organizations, such as the European Union, the specialized organizations of the United Nations, the

World Bank, etc. With regard to the social dimension, the cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP), the ILO and the Resettlement Fund of the Council of Europe are of particular importance. The cultural aspects are covered mainly under the participation programme with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and cultural agreements with various countries.

Article 6

18. The Government of Cyprus has ratified the ILO Employment Policy Convention, 1964 (No. 122), the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Convention on the Elimination of All Forms of Discrimination against Women. Copies of our latest reports on Conventions No. 122 and No. 111 covering the period 1990 to 1992 are enclosed in appendix A, documents 1 and 2 respectively.

19. Cyprus enjoys full employment conditions, with low unemployment (2.7 per cent), even among the so-called vulnerable groups, such as women, youth and the aged. (For more detailed information, refer to the report on Convention No. 122 and specifically the text under the heading "Developments in the Labour Market" in article 1; tables I-V (appendix A, document 3); the enclosed report "Economic and Social Indicators - 1994" (appendix A, document 3 (A).)

20. Employment policy constitutes an integral part o the overall economic development policy. The Strategic Development Plan, covering the period 1994 to 1998, sets out as major objectives the restructuring and modernization of the Cypriot economy and its preparation to join the European Union. It aims at achieving an average annual rate of growth of 4 per cent for the period 1994 to 1998, while maintaining conditions of economic stability.

21. In the labour market the strategic objectives of the aforesaid Strategic Development Plan are:

(a) The maintenance of industrial peace;

(b) The maintenance of conditions of full employment;

(c) The amelioration of qualitative imbalances in the labour market, with an emphasis on satisfying the needs in technical occupations;

(d) The increase of the supply of labour in view of the labour shortage problem in Cyprus, mainly through the increase of female participation rates and the encouragement of the return of Cypriot expatriates;

(e) The rational distribution of labour by sector, occupation and region;

(f) The continuing improvement of the social protection system;

(g) The improvement of the productivity of the labour force;

(h) The pursuance of an incomes policy which is conducive to both the goals of improving the standard of living of the population and maintaining the competitiveness of the economy and full employment conditions;

(i) The continuous improvement of conditions in the work environment and of terms and conditions of employment, bearing in mind the capabilities of the economy;

(j) The gradual harmonization with EU in the social sector.

22. The policy measures that will be implemented during the period of the Strategic Development Plan for the promotion of the above policy objectives are, inter alia, the following:

(a) The introduction of incentives for the encouragement of geographical mobility;

(b) The expansion and improvement of training and retraining programmes giving emphasis on job training, continuous vocational training and lifelong learning;

(c) The strengthening of vocational guidance and of the employment services of the Ministry of Labour and Social Insurance;

(d) The reinforcement of mechanisms for identifying and combating factors that have a negative effect on the functioning of the labour market;

(e) The attraction into the labour force of women who are out of work, through the promotion of part-time work, the improvement of child-care facilities, etc.;

(f) The encouragement of the repatriation of Cypriots residing abroad;

(g) The promotion of changes in the educational system, including the upgrading of basic education, so that the content and direction of educational programmes are consistent with the development requirements of the economy;

(h) The promotion of measures aiming at harmonization with the EU social standards, particularly in the area of health and safety at work.

23. Further measures to enhance productivity are the following:

(a) Formulation of an appropriate policy encouraging the introduction of advanced technology and improved methods of organization of the productive units;

(b) Examination of the scope of introducing new systems of remuneration based on incentives granted according to the development of productivity (e.g. bonus in the case of an increase in productivity beyond a certain predetermined level), using the experience of other countries, e.g. France, Sweden, etc.;

(c) Promotion of methods for measuring productivity at the level of the productive unit, thus enabling Cypriot entrepreneurs to assess the progress made in their unit, in comparison with similar units in Cyprus or abroad;

(d) Study of the experiences of other countries in the field of productivity, particularly those which exhibited remarkable success during the last decades, such as Japan and the newly industrialized countries;

(e) Enhancement of the cooperation between the social partners in matters related to productivity at the level of the productive unit.

24. The constitutional, legislative and other provisions ensuring freedom of choice of employment are as stated in the previous report for the Covenant, under article 6.

25. As may be seen from previous reports, the development in Cyprus of human resources has always been one of the major policy objectives of the Government. The concern shown in this area emanates from the realization that the human factor is the most valuable productive resource that Cyprus possesses, as it is poor in natural resources and raw materials. Human resource development systems include formal educational and non-formal (but structured) educational and/or training systems, public or private.

26. Formal systems include, amongst others, the public technical and vocational secondary schools, aiming at providing local industry with skilled labour and at tertiary level the Higher Technical Institute and the Cyprus Productivity Centre, aiming at providing industry with higher technicians and supervisory/managerial personnel. There also exist private institutions at secondary and tertiary levels offering courses in fields relevant to the needs of local industry.

27. Non-formal systems include a variety of public and private part-time institutions which provide miscellaneous courses at various levels. Public non-formal education is mainly provided through the "Apprenticeship Training Scheme" of the Ministry of Labour and Social Insurance, the "Scheme of Evening Technical Classes" of the Ministry of Education, the Cyprus Productivity Centre, the Industrial Training Authority (ITA) which finances accelerated vocational training and retraining courses, organized on a subcontract basis by public and private institutions, etc.

28. The ITA is the national agency for manpower training and development. Its mission is to create the necessary prerequisites for the planned and systematic provision of training to the island's manpower at all levels and in all sectors, for meeting the needs of the economy, within the overall national socio-economic development policies. Training activities are designed to meet current needs for training in the labour market, which are assessed through research studies and surveys. Training activities subsidized by ITA include: ab-initio training; retraining; supervisors' training; managerial training; trainers' training; training abroad; new technology training; training of university and other tertiary education graduates; apprenticeship training. For more information, see appendix A, document 4 "A Profile of the ITA".

29. No particular difficulties have been encountered in attaining the objectives of full, productive and freely chosen employment.

30. Information has been provided in the previous report under article 6 as to whether there exist any distinctions, exclusions, restrictions or preferences between persons or groups of persons on the basis of race, colour, sex, religion, political opinion, nationality or social origin which have the effect of nullifying or impairing the recognition, enjoyment or exercise of equality of opportunity or treatment in employment or occupation.

31. On the basis of legislation and policies applied in Cyprus there is no discrimination regarding vocational guidance, training, employment and occupation on the basis of colour, sex, religion and national origin. Statistical data are provided with regard to employment/unemployment in tables I-V (appendix A, document 3), with regard to training in table VI (appendix A, document 5) and with regard to the employment of foreign labour in Cyprus in table VII (appendix A, document 6).

32. The main cases in which a distinction, exclusion or preference is made on conditions of sex concern the prohibition of the employment of women in underground work and in industrial undertakings at night. The relevant legislation is the Employment of Women (During the Night) Law, Cap. 180 and the Laws ratifying ILO Convention No. 89 and the Protocol of 1990 to this Convention and the Employment of Women (in Mines) Law, Cap. 181 and the Law ratifying ILO Convention No. 45. Moreover under new regulations which are currently under preparation, the employment of pregnant women at night will be regulated and prohibited in jobs which result in exposures endangering the safety and health of the pregnant woman and the child.

33. For the years 1986/87 and 1990/91, for which data are available, the double job holders represented approximately 8 per cent of the gainfully employed population. It is noted that the main reason for which Cypriots practise a second job is to improve their standard of living rather than to secure an adequate one. (In 1994 the per capita GNP of Cyprus was US$ 11,500).

34. During the current reporting period the Protection of Maternity (Amendment) Law No. 48 (I) of 1994 improved maternity protection by extending the minimum period of maternity leave from 12 to 14 weeks. Moreover, a new law (Law No. 158/89) on equal pay for work of equal value was enacted in October 1989 and came into force in 1992. Information on these laws are given in the reports on articles 10 and 7 respectively. These legislative measures are believed to have a positive effect on encouraging women to exercise their right to work.

35. After independence in 1960, the assistance provided by United Nations specialized agencies towards setting up various training institutions/schemes, such as the Productivity Centre, the Higher Technical Institute and the Hotel and Catering Institute, played a vital role in providing the economy with the necessary skilled labour, particularly to the expanding new sectors (tourism, manufacturing, construction).

Article 7

36. The Government of Cyprus has ratified the following Conventions:

Equal Remuneration Convention, 1951 (No. 100);

Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106);

Labour Inspection Convention, 1947 (No. 81);

Occupational Safety and Health Convention, 1981 (No. 155).

37. The following Conventions have not as yet been ratified:

Minimum Wage Fixing Convention, 1970 (No. 131);

Weekly Rest (Industry) Convention, 1921 (No. 14);

Holidays with Pay Convention (Revised), 1970 (No. 132);

Labour Inspection (Agriculture) Convention, 1969 (No. 129).

Minimum wage fixing

38. Wage fixing methods. Since the establishment of the Republic of Cyprus in 1960, wages and salaries have been regulated through free collective bargaining in almost all cases where workers are organized in trade unions, i.e., as regards more than 80 per cent of the workers. Free collective bargaining was suspended for a period following the Turkish invasion of the island - July 1974 to December 1976 - during which period a system of compulsory arbitration was put into operation.

39. The system of minimum wages. Collective agreements include provisions on minimum wages, often by occupation, which are usually revised every two years, along with other provisions of the agreements.

40. Legislative provisions regulating minimum wages exist only with regard to certain specific sectors, i.e. clerks, shop assistants, kindergarten assistants and nursing aids. These are sectors of occupation rather than of economic activity. The number of persons covered by each group in 1991, out of a total of 255,700 employees, was as follows: clerks 1,281; shop assistants 368; kindergarten assistants 413; nursing aids 311.

41. The fact that the minimum wages are not set by legislation for all sectors is due to the free collective bargaining system used in Cyprus as the principal method for fixing wages. Therefore, legislation for fixing minimum wages exists only in those sectors where collective bargaining mechanisms are weak and workers are considered vulnerable.

42. Tripartite committees examine the issue from time to time and advise the Minister of Labour and Social Insurance on the level and the scope of legislative minimum wages.

43. The Ministry of Labour and Social Insurance is responsible for administering and securing the proper observance of the legislation.

44. Minimum wages and the law. Minimum wages are regulated by the Minimum Wage Law (chap. 183 of the Cyprus Laws), enacted in 1941, and subsidiary regulations and orders. The Law, inter alia, empowers the Council of Ministers to issue minimum wage orders for any occupation, either generally or for a specific geographical area or place, if the existing wage is unreasonably low. The idea of the Law seems to be that minimum wage levels should vary by occupational category. In fact, however, there has been a common minimum wage, for the very few occupations that have been protected, at least since 1974. Thus, from 1974 to 1989, a common minimum had been set for clerks and shop assistants, the only two occupations protected during the period. Since 1990, when two new occupations were also covered by legislation, i.e. child care workers and nursing aids, the same minimum (the one existing for the previous two occupations) was assigned to them.

45. It is to be noted that the above-mentioned minimum wage, even though common for the occupations covered, has two levels: a lower level, for new recruits, and an upper level, applicable to workers who have completed six months with their employer.

46. Minimum wages set by collective agreement, covering about 80 per cent of the workers, do not automatically acquire the force of law but are usually incorporated in the individual employer-worker contract, whether such contract is written or implied.

47. Elements to determine the level of minimum wages. The main elements that have been considered over the years are the needs of the workers and the ability of the employers to pay. Different methods have been tried in order to quantify these elements, including (a) the measurement of the basic needs of typical clerks and shop assistants (1973 survey) and (b) the relative income method (comparison with parameters of the national wage distribution and/or the wages set by collective agreement). The latter has been implicitly used since 1983, when the Industrial Relations Service published a relevant report (in Greek). All elements suggested in the ILO instruments are seriously considered, as evidenced by the 1983 report, mentioned above, to which Convention No. 131 and the Recommendation No. 135 were appended.

48. A problem underlined in the 1983 report of the Industrial Relations Service in connection with "the needs of the workers and their families" is that it is impossible to determine objectively the basic needs of the individual, the size of the family that should be supported by a minimum wage earner and the extent to which the minimum wage should contribute to the elimination of poverty.

49. None of the above-mentioned elements or criteria have been officially adopted but they are taken into account by the tripartite committee that advises the Minister on the issue.

50. Fixing, monitoring and adjusting minimum wages. The practice since the early 1980s has been to revise minimum wages in line with:

(a) The "general pay increases" provided by the main collective agreements of the private sector;

(b) The existing pay minima determined by collective agreements for relevant occupations, e.g. workers of supermarkets and department stores.

The term "general pay increases", in this sense, includes basic wage increases and cost of living increases. Until 1979, adjustment of the legal minimum wage took place only when it was thought that this was necessary. Since 1981, however, adjustments in practice have become annual.

51. Statistical data. Minimum wages set by law have improved over the years in relation to average wages. Furthermore, both average and minimum wages have improved at rates greater than that of the cost of living (consumer price index). (Please see appendix B, tables 1 and 2.)

52. Effective application. The Labour Inspectorate of the Department of Labour and Social Insurance carries out periodic checks on the application of the minimum wage provisions and investigates complaints, in accordance with the law. In addition, special statistical surveys are carried out occasionally by the Department of Statistics and Research on sectors which seem prima facie (from general surveys) to be low paid. As a result of such a special survey, in 1987, the minimum wage protection has been extended since 1990 to two new broad categories (kindergarten assistants and nursing aids), while the geographical limitation (towns only) was abolished.

53. Equal pay for men and women. The principle of equality of women and men and the prohibition of discrimination on the ground of sex is guaranteed by the Constitution of the Republic (art. 28). Also, the Termination of Employment legislation promotes equal treatment. In particular, article 6 of this law states that a worker's sex does not constitute a valid reason for dismissal.

54. The right of equal pay for work of equal value between men and women is specifically protected by the Law on Equal Remuneration between Men and Women for Work of Equal Value, of 1989. (Copy of the first report of the Government of Cyprus on ILO Convention No. 100 is shown in appendix B, document 3.) Recent data on salaries of men and women are given in appendix B, document 4 (tables 1 and 2). In addition, it may be noted that in order to implement as effectively as possible current legislation on the equal pay for work of equal value principle, the Government of Cyprus in 1991 requested expert advice from ILO. In the light of the recommendations contained in the first report of the ILO experts a tripartite training programme was organized, in cooperation with the ILO, aiming at enabling the Ministry of Labour and Social Insurance Inspectors and other officers as well as members of employers' and workers' organizations to apply as correctly as possible the provisions of the equal pay legislation, with major emphasis on job evaluation.

55. In 1992, at the request of the Cyprus Government and with the financial assistance of UNDP, a second mission was undertaken by the two ILO experts who

were appointed in 1991 to assist in implementing the Cypriot equal pay legislation. The terms of reference of this second mission called for the experts to evaluate the progress made in implementing the requirements of the equal pay legislation on the basis of the findings of the first mission. A report was prepared and submitted on the matter. A tripartite technical committee appointed by the Labour Advisory Board is currently studying the recommendations of the ILO experts in order to propose further measures for the effective application of the equal pay principle.

56. Income distribution of employees. The wage distribution for the years 1992-1993, by wage bracket, is shown in appendix B, document 5. As regards relative pay between the private and the public sectors, it is generally thought that pay in the latter is clearly higher, both on average and on an occupational basis.

57. Occupational health and safety of employees. The safety and health of employed persons is safeguarded mainly by the Factories Law and special regulations made under it. The Factories Law applies only to persons employed in certain branches of economic activity and more specifically in workplaces falling within the definition of "factory" as the term is defined in the Law. The branches of economic activity covered by the Law are the manufacturing industry, construction works and other works of engineering construction, dock works and agriculture.

58. It should be noted that mines and quarries are covered by the Mines Law, enforced by the Mines Service of the Ministry of Agriculture, Natural Resources and Environment.

59. The enforcement of the occupational safety and health legislation is effected through inspections by medical officers of the Ministry of Health who examine periodically the total work force of Cyprus and by duly qualified inspectors of the Factory Inspectorate of the Ministry of Labour and Social Insurance who carry out regular visits to factories to ensure continued compliance with the relevant legislation. The organizational chart of the Factory Inspectorate appears in appendix B, document 6.

60. Since the previous report on the Covenant a series of additional laws was enacted aiming at protecting either employed persons, or both employed and self-employed persons, as well as the general public, against particular risks not previously covered by the existing legislation. The Control of Dangerous Substances Law and the Asbestos (Safety and Health of Persons at Work) Law are examples of legislation covering economic activities for which no special legislation previously existed, while the Occupational Safety and Health in Dockwork regulations address risks in this particular industry. Moreover, in the light of new information and new safety and health standards introduced internationally, current legislation is updated or, where necessary, new legislation is introduced. In appendix B, document 7, there is a list of the existing legislation covering the field of occupational safety and health.

61. After recommendations made in the report by the ILO multidisciplinary mission that visited Cyprus in 1980 in the framework of the International Programme for the Improvement of Working Conditions and Environment, the Ministry of Labour and Social Insurance established, in 1990, the Training

Centre on Occupational Safety and Health, within the structure of the Factory Inspectorate. The Centre is actively involved in providing safety and health training and education on a systematic basis to workers' representatives, industry supervisors, safety officers and other people concerned, including employers. In accordance with another recommendation of the mission, the organization of safety and health at the level of the undertaking was promoted through the Safety at the Places of Work Law No. 60 of 1988 and the Safety Committees at Places of Work Regulations, 1988. The establishment and operation of safety committees is a practical manifestation of the workers' active participation and involvement in the effort of promoting safety and health at work.

62. After the Common Declaration on the Safety, Health and Welfare of Workers, signed in May 1983 and referred to in the previous report, a Declaration of National Policy on Occupational Safety and Health has been agreed by the Labour Advisory Board, the highest tripartite body advising the Minister on all labour matters. The text of the Declaration was signed in May 1995. In the document, the principles of national policy on safety and health are laid down together with the obligations of employers, of the workers, and those of the State. Furthermore, the Declaration contains the measures that have to be taken for the implementation of the national policy.

63. As regards the legislative measures necessary for implementing the national policy on safety and health, the Ministry of Labour and Social Insurance proceeded with the preparation of a wide-scope law on safety, health and welfare at work. The draft law has passed through all the necessary stages of tripartite consultations and all the stages of legal vetting prior to being approved by the Council of Ministers and the House of Representatives to become a law. The proposed law, entitled "the Safety and Health at Work Law", is a far-reaching statute that is intended to have a profound and long-lasting effect on the working environment of all persons at work, employed or self-employed in Cyprus. The most significant changes that will be brought about by the new law are the extension of occupational safety and health coverage to all branches of economic activity, including the public and other non-commercial sectors, and the introduction of general duties for employers, designers, importers and suppliers of equipment and substances used at work. These duties are aiming, not only towards protecting all persons at work, but also other persons that may be affected by activities or persons at work.

64. Statistical and other information on occupational accidents and diseases. A table showing industrial accidents for the last 10 years appears in appendix B, document 8, with all relevant information on how the number, nature and frequency of such accidents have developed over that period in Cyprus.

65. Equal opportunity for promotion. As far as the public sector is concerned, no discrimination is made for specific groups of workers as regards the right of equal opportunity for promotion. In the private sector and as far as the employment of women is concerned, traditional attitudes relating to gender roles may indirectly affect the actual realization of this principle,

particularly as regards promotion to posts involving responsibility and decision-making. Nevertheless, the position of women in employment is continuously improving, as these attitudes are gradually being eroded.

66. Steps taken aiming at changing social attitudes regarding gender roles include various measures within the framework of the educational system (e.g. revision of school books and special enlightenment campaigns).

67. Working time. In Cyprus terms and conditions of employment are determined chiefly through collective bargaining. Legislative measures are taken only where this is considered necessary in order to safeguard the interests of non-unionized workers. In view of this and given the fact that more than 80 per cent of the workforce is organized in trade unions, legislation in the field of working conditions covers only a few categories of workers.

68. Existing legislation and collective agreements regulating rest, leisure and working hours are as follows:

(a) Retail shops. The Shop Assistants Law, Cap. 185 as amended to date, with its subsidiary legislation, concerns retail shops and barber shops, and provides that:

(i) Every shop shall be closed on Sundays or on such other day in every week as the Council of Ministers may by order appoint in lieu of Sunday;

(ii) The working period of a shop assistant shall not exceed 42 hours in total within each week or 8 hours per day excluding in both cases mealtimes and the period of rest;

(iii) Overtime work is allowed under special circumstances, provided that the extra hours do not exceed 2 hours on any one day and 8 in any one week;

(b) Commerce and offices. The Hours of Employment Laws (Cap. 182 and 15 of 1967) and the orders issued thereunder, concerning clerical, administrative and executive employees in commerce and offices other than retail shops, provide that:

(i) The working period of an employee shall not exceed 44 hours in total within each week or 8 hours per day excluding in both cases mealtimes and the period of rest. Week is defined as the period between 6 a.m. of each Monday until 6 p.m. of the following Saturday;

(ii) Overtime work for clerks is allowed, under special circumstances, provided that the extra hours do not exceed 2 hours on any one day and 4 in any one week;

(iii) The Employees (Hours of Employment) Order of 1961, as amended in 1985 and 1990, provides expressly that the period from 6 p.m. on Saturday until 6 a.m. on Monday shall be a period of rest and that in exceptional cases, where work has to be carried out during the weekly rest period, compensatory rest shall be granted of such duration as will secure at least 24 continuous rest hours;

(c) Hotels and restaurants. The Hotel Employees (Conditions of Service) Regulations, 1972-1978, and the Catering Employees (Conditions of Service) Laws, 1968-1978, provide for one day of weekly rest with pay. Although there is no specific mention of a minimum number of consecutive hours for weekly rest, the above provisions ensure, in practice, a minimum of 32 to 36 hours of uninterrupted weekly rest. It should be mentioned that the hotel and catering industry is also covered by two sectoral collective agreements which offer additional protection to the workers. Thus, the hotel sector agreement provides for: (a) two days of weekly rest, only one of which may be temporarily postponed or used for overtime work; and (b) 35 hours of continuous weekly rest, exceptionally reducible to 32. The catering sector agreement provides for one day of paid weekly rest, which may not be postponed. The above-mentioned collective agreements apply in the large majority of establishments in the hotel and catering industry, which employ an estimated 80 per cent of the workers in this industry;

(d) Driving of motor vehicles. The Motor Vehicles (Drivers' Hours of Work) Regulations of 1989 provide, normally, for a daily rest of 12 hours and a weekly rest of 30 hours. Furthermore, they do not allow the following:

(i) Continuous driving for more than 5 hours (requiring a 20-30 minute break);

(ii) Driving for more than 10 hours a day or 54 hours a week;

(e) Annual leave. The Annual Holidays with Pay Law of 1967, as amended to date, guarantees the right of every employee to a minimum annual holiday of three weeks with pay, of which two weeks must be continuous, and safeguards his right to a longer holiday under any other special law, custom, collective agreement or other arrangement. This right of employees is put to practice either through the payment of normal wages during the leave period directly by the employer to the employee, or through a payment to the employee, for the leave period, out of the Central Holiday Fund (a fund to which employers pay contributions, based on their payroll, every month). According to the provisions of the above-mentioned legislation, the following days are not counted as days of annual leave: public holidays established by law, custom or agreement; maternity leave; days of incapacity for work due to accident or illness; days of strike or lock out; any period of notice of termination of employment according to the Termination of Employment legislation. Annual leave is in many cases longer than the three-week minimum period mentioned above. Collective agreements provide for annual leave ranging from three to four weeks in most sectors of the economy, and in some sectors to five or six weeks. Usually the variation is in accordance with length of service;

(f) Public holidays. Public holidays (national or religious holidays) are usually regulated by collective agreement. When workers are asked to work on a public holiday, they are usually paid at double rates.

69. Factors and difficulties affecting the degree of realization of these rights. There have been no complaints on the realization of these rights.

70. Categories of workers excluded from the enjoyment of these rights. Most workers (80-90 per cent) are covered by law or collective agreement. The rest follow the pattern while there is a constant effort by the Government and its social partners to locate possible gaps in coverage and take corrective measures. No worker is expressly excluded from coverage.

Article 8

71. The Government of Cyprus has ratified the following Conventions:

International Covenant on Civil and Political Rights;

ILO Convention No. 87 (Freedom of Association and Protection of the Right to Organize) (Ratification Law No. 17 of 1966);

ILO Convention No. 98 (Right to Organize and Collective Bargaining) (Ratification Law No. 18 of 1966);

ILO Convention No. 151 (Labour Relations (Public Service)) (Ratification Law No. 65 of 1968);

ILO Convention No. 154 (Collective Bargaining) (Ratification Law No. 241 of 1988);

ILO Convention No. 105 (Abolition of Forced Labour);

Articles 5 and 6 of the European Social Charter (Ratification Law No. 64 of 1967, as amended by Law No. 5 of 1975).

Establishment of trade unions by special categories of workers

72. Article 21 of the Constitution of Cyprus, which, inter alia, guarantees the right to freedom of association with others, including the right to form and to join trade unions, provides that "a law may provide for the imposition of restrictions on the exercise of these rights by members of the armed forces, the police or gendarmerie".

73. The Committee of Independent Experts, which supervises the application of the European Social Charter, found, inter alia, that section 52 of the Police Law, Cap. 285 was not fully in line with article 5 of the Charter. Following that observation, section 52 was amended by the Police (Amendment) Law No. 27 of 1989, so as to allow members of the police force to set up their own professional associations for the promotion and protection of their interests regarding their terms and conditions of service. In particular, section 52 of the Police Law as amended reads as follows:

"(1) With a view to rendering possible the study and submission to the Chief of the Police and the Minister by members of the Force of matters affecting their welfare and professional efficiency including matters concerning their pay, pensions and conditions of service, professional associations may be set up by them.

"(2) The professional associations set up under this Article may not be more than two i.e. one for the senior officers and one for all other ranks.

"(3) Subject to the provisions of this Law each professional association shall be governed by its own rules.

"(4) No one can be a member of a professional association unless he is a member of the Force.

"(5) The Cyprus Senior Police Officers Association Rules of 1958 and the Cyprus Police Association Rules of 1958 will continue in force until the approval of the rules of the professional associations."

74. Two such associations have been set up, the Senior Police Officers Associations and the Cyprus Police Association (other ranks), membership in which is voluntary. The rules of these professional associations were drafted and approved by their general assemblies on 5 May 1991 and 29 November 1989.

75. The right of the police to negotiate is guaranteed by article 52 (1) of the Police Law No. 27 of 1989. Matters concerning terms and conditions of employment of members of the police belonging to both associations are discussed and decided upon within the Joint Committee of Police Staff which consists of two members (Permanent Secretary of Ministry of Justice and Public Order, Chairman and Permanent Secretary of Ministry of Finance or his representative) representing the official side and five members representing the police staff (two persons appointed by the Senior Police Officers Association and three persons appointed by the Cyprus Police Association).

Right to form and join trade unions

76. The right to form and join trade unions is guaranteed by article 21 of the Constitution which provides the following:

"1. Every person has the right to freedom of peaceful assembly.

"2. Every person has the right to freedom of association with others, including the right to form and to join trade unions for the protection of his interests. Notwithstanding any restriction under paragraph 3 of this Article, no person shall be compelled to join any association or to continue to be a member thereof.

"3. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are absolutely necessary only in the interests of the security of the Republic or the constitutional order or the public safety or the public order or the public health or the public morals or for the protection of the rights

and liberties guaranteed by this Constitution to any person, whether or not such person participates in such assembly or is a member of such association.

"4. Any association the object or activities of which are contrary to the constitutional order is prohibited.

"5. A law may provide for the imposition of restrictions on the exercise of these rights by members of the armed forces, the police or gendarmerie."

77. The legal status of trade unions is established, safeguarded and regulated through their registration. The Trade Unions Law (71 of 1965) provides, inter alia, that no trade union shall be deemed to be unlawful merely because its purposes are in restraint of trade nor are the members of such union liable to criminal prosecution for conspiracy or otherwise (sect. 38).

78. As provided by section 9 of the Trade Unions Law, application for registration must be made in the prescribed form and be signed by at least seven members of the union. In case the total number of persons employed in the particular trade or calling in respect of which the application is made is less than seven the application must be signed by at least three members of the union. If the number of persons in the trade or calling exceeds 20, membership in the applicant union must not be less than 20 persons (sect. 8).

79. Section 20 provides that only persons actually engaged in or working at a trade or calling to which the union relates shall be admitted to and retain membership in such union. However, the law provides that trade union officers who, because of their trade union activities, cannot actually work at the trade to which the union relates and persons temporarily unemployed will not be disqualified from membership. It is to be noted that section 20 does not render multi-trade unions unlawful.

80. Section 21 provides that persons under the age of 16 cannot be members of a trade union and that persons under the age of 21 shall not hold office in a trade union or a branch thereof.

Rights of trade unions to federate and to join international organizations

81. In section 2 of the Trade Unions Law it is stated that the term "union" includes also a federation of two or more unions. Part III of the Trade Unions Law states:

"53 (1) Save as hereinafter expressly provided this Law shall apply, in so far as applicable, to a confederation as if the component registered trade unions comprising such confederation were individual members of a trade union.

(2) Save as otherwise provided, every notice, copy of rules or other document required by this Law to be signed, shall, in the case of a confederation, be signed by the secretary and one other officer thereof.

"54. In the case of a confederation, an application for registration in accordance with section 8 shall be signed by the secretary and one other officer of each of the trade unions comprised therein, and shall be accompanied by a declaration from each of the trade unions, signed by the secretary thereof, that the application is made with the consent of the members thereof as declared by a majority of votes taken by secret ballot at a general meeting or conference of delegates of the trade union.

"55. No confederation shall be registered by the Registrar unless each of the trade unions comprising such confederation is duly registered.

"56. Where a confederation has been registered under this Law, no trade union shall subsequently enter into any agreement for membership thereof or be member of such registered confederation unless -

(a) such trade union is duly registered,

(b) there has been submitted to the Registrar a declaration signed by the secretary of such registered confederation signifying that an application for membership accompanied by a declaration as required by section 54 was made by such trade union and has been duly approved by the confederation."

82. There is no legal provision regarding the right of trade unions or trade union confederations to form and join international trade union organizations. In practice, however, unions are free to do so and all the principal trade unions or trade union federations in Cyprus are affiliated to international trade unions or federations.

The right of trade unions to function freely

83. The Trade Unions Law provides that trade unions registered under the Law have power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings, and to do all things necessary for the purpose of their Constitution and objects. The Law further provides that no trade union shall be deemed to be unlawful merely because its purposes are in restraint of trade nor are the members of such union liable to criminal prosecution for conspiracy or otherwise (sect. 38).

84. Article 40 protects members of trade unions under certain conditions, against criminal proceedings for conspiracy in relation to trade disputes. However, the Law does not accord immunity with regard to riots, unlawful assembly, or breach of the peace of sedition or any offence against the State. Article 41 offers immunity to persons acting in contemplation or furtherance of a trade dispute from civil suits such as inducing a person to break a contract of employment, interference with the trade, businesses or employment of another person, or with the right of some other person to dispose of his capital or of his labour as he wills.

85. Article 50 renders unlawful the making of the employment of a worker subject to the condition that he shall not join a trade union or shall relinquish trade union membership. It also renders unlawful to dismiss or

discriminate against a worker by reason of trade union membership. However, employers are not restricted in their choice of workers, since they are not obliged to engage solely trade union members.

86. The First Schedule (sect. 18) of the Law, which sets out the matters for which provision must be made in the rules of every registered trade union, specifies that decisions must be taken by secret ballot in the following cases:

Changing the name of the trade union;

Amalgamating with another trade union;

Joining or forming a federation or confederation;

Dissolving the trade union;

Electing delegates to the trade union or to a federation;

Electing the officers of a branch;

Electing the officers to a federation or confederation;

Amending the rules of the trade union.

Furthermore, a decision by secret ballot of the members of a trade union affected by a trade dispute on matters relating to lock-outs or strikes (any decision to take part in any lock-out or strike being subject to the approval of the committee of management of the trade union) is also required.

The main trade unions in Cyprus

87. The two main national union organizations (or national union centres) in Cyprus are the Pancyprian Federation of Labour (PEO) and the Cyprus Workers' Confederation (SEK). Other national union centres are the Democratic Labour Federation of Cyprus (DEOK) and the Pancyprian Organization of Independent Trade Unions (POAS). The other main unions, according to the official register, are the Trade Union of Cyprus Civil Servants (PASYDY), the Cyprus Union of Bank Employees (ETYK), the Organization of Greek Secondary School Teachers of Cyprus (OELMEK), the Cyprus Greek Teachers' Organization (POED) and - in the occupied area - the Cyprus Turkish Trade Union Federation (TURK-SEN).

88. PEO, a national union centre, consists of 10 unions, each with a few district branches. It represents workers in most sectors of the economy. It is affiliated to the World Federation of Trade Unions (WFTU).

89. SEK, a national union centre, is organized in seven federations representing most sectors of the economy. the federations consist of district unions, which also belong to the respective district labour centre. SEK is affiliated to the International Confederation of Free Trade Unions (ICFTU) and the European Trade Union Confederation (ETUC).

90. DEOK is a national union centre and a member of the World Confederation of Labour (WCL).

91. POAS, a national union centre, is affiliated to the World Confederation of Labour (WCL).

92. PASYDY is the only union which represents civil servants, i.e. workers employed in the administration of the State. It is not a member of any national union organization nor of any international union federation.

93. ETYK, the only trade union of banking employees, does not belong to any national centre. It is a member of the International Organization of Bank Employees (FIET).

94. OELMEK represents the teachers of the secondary State schools, except those of technical schools, who have their own union.

95. POED represents the teachers of the elementary State schools.

96. TURK-SEN is the largest trade union centre in the Turkish-occupied area of Cyprus. Having members in most sectors of economic activity, it is affiliated to the International Confederation of Free Trade Unions (ICFTU) and the European Trade Union Confederation (ETUC).

Right to strike

97. Article 27 of the Constitution of the Republic of Cyprus reads as follows:

> "1. The right to strike is recognized and its exercise may be regulated by law for the purposes only of safeguarding the security of the Republic or the constitutional order or the public order or the public safety or the maintenance of supplies and services essential to the life of the inhabitants or the protection of the rights and liberties guaranteed by this Constitution to any person.
>
> "2. The members of the armed forces, of the police and of the gendarmerie shall not have the right to strike. A law may extend such a prohibition to the members of the public service."

98. The Trade Unions Law 1965 does not expressly provide for the right to strike, but section 41 gives immunity to "acts in contemplation or furtherance of a trade dispute". Moreover, the First Schedule of the Law imposes certain procedural restrictions on the decision to strike, i.e. secret ballot and approval by the leadership.

99. Defence Regulations 79 A and 79 B, of 1943, which may be applied by virtue of the Supplies and Services (Continuation) Law, Cap. 175 A, allow the mobilization of employees and the prohibition of strikes respectively in "essential" services within the meaning of the Constitution, i.e. articles 10 and 27 concerning forced labour and the right to strike respectively. During 1995 the Government of Cyprus has proceeded with the drafting of new legislation regulating the right to strike in essential services which takes

into account the obligations of the Government of Cyprus under international instruments (i.e. ILO Conventions No. 105 and No. 87) and articles 1 and 6 of the European Social Charter and modern trends in Europe. This draft law is currently under consideration.

100. Section 44 of the Trade Unions Law, which refers to peaceful picketing, provides that it is lawful for one or more officers or members of a registered trade union involved in a trade dispute and for one or more persons acting on behalf of an individual employer or firm, in contemplation or furtherance of a trade dispute, to attend at a place where a person works or carries on business, if they so attend merely for the purpose of peacefully persuading any person to work or abstain from work.

101. Section 45 renders a person guilty of an offence, i.e. intimidation and annoyance, if that person, with a view to compelling any other person to do or abstain from doing any act which such other person has a legal right to do or abstain from doing,

(a) Uses violence to or intimidates such other person or his wife or children, or injures his property;

(b) Persistently follows such other person about from place to place;

(c) Hides any tools, clothes or other property owned or used by such other person, or deprives him of or hinders him in the use thereof;

(d) Watches or besets the house or other place where such other person resides or works or carries on business or happens to be or the approach to such house or place;

(e) Follows such other person with two or more other persons in a disorderly manner in or through any street or road.

102. As mentioned above, the decision for a strike or lock-out is subject to secret ballot and to approval by the executive of the trade union or employer association.

103. The Industrial Relations Code - a "basic agreement" which sets out labour relations principles and dispute settlement procedures - requires a 10-day notice for strikes or lock-outs on disputes over interests and provides that disputes over rights, if not settled by direct negotiations or mediation, should be referred to binding arbitration.

Right to strike by members of the armed forces, the police or the administration of the State

104. Article 27, paragraph 2, of the Constitution of the Republic of Cyprus deprives altogether members of the armed forces, the police and the gendarmerie of the right to strike.

105. As regards public officials, up to 1990 no law had been enacted prohibiting their right to strike and public officials went on strike in the same way as other employees. In 1990, when the Public Service legislation was

revised, an express provision was included in the new law guaranteeing to public officials the "freedom of association and the unhampered exercise of the rights related to it". These rights certainly include the right to strike (sect. 63 of the Public Service Law, No. 1 of 1990).

106. The most important changes effected since the previous report are the amendment of the Police Law and of the Public Service Law referred to above.

Article 9

107. Cyprus has ratified the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) (Parts III, IV, V, VI, IX and X) as well as ILO Conventions Nos. 44, 121 and 128 (Part IV). As the first report on Convention No. 102 is fairly recent, covering the period 3 September 1991 to 30 June 1993, a copy of this report appears in appendix C, document 1. The latest reports on Conventions 44, 121 and 128 also appear in appendix C, documents 2-4. With a view to presenting a full picture of the protection afforded in pursuance of article 9 of the Covenant, full answers are given to all the questions in the revised guidelines irrespective of the fact that some of the information may have already been furnished in the previous reports on the Covenant.

108. The Cyprus legislation which is relevant to this article is the following:

(a) Laws:

The Social Insurance Law No. 41 of 1980;

The Social Insurance (Amendment) Law 48 of 1982, 11 of 1983, 7 of 1984, 10 of 1985, 116 of 1985, 4 of 1987, 199 of 1987, 214 of 1987, 68 of 1988, 96 of 1989, 136 of 1989, 17 of 1990, 218 of 1991, 98 (I) of 1992, 64 (I) of 1993 and 18 (I) of 1995;

The Child Benefit Law No. 314 of 1987;

The Child Benefit (Amendment) Law 75 of 1991;

The Social Pension Law No. 25 (I) of 1995;

(b) Regulations:

The Government Medical Institution and Services General Regulations of 1980 and 1992;

The Social Insurance (Contributions) Regulations of 1980-1994;

The Social Insurance (Benefits) Regulations of 1992;

The Social Insurance (Increase of Supplementary Benefits) Regulations of 1985-1992;

The Social Insurance (Diseases) Regulations of 1980;

The Social Insurance (Expenditure for Occupational Training) Regulations of 1985.

109. All the branches of social security referred to in guideline No. 2 exist in Cyprus.

Medical care

110. In accordance with the Government Medical Institution and Services General Regulations of 1980 and 1992 medical care is provided to prescribed classes of residents as follows:

(a) Free of charge to:

(i) Civil servants, members of the police force, members of the educational service, dependants of these groups and certain other groups;

(ii) Persons in receipt of public assistance;

(iii) Single persons whose income does not exceed £C 2,750/year and families whose income does not exceed £C 4,500/year;

(b) At reduced fees to single persons whose income is between £C 2,750/year and £C 4,750/year and to families whose income is between £C 4,500 and £C 7,000/year.

111. The medical care provided covers any morbid condition irrespective of cause, including pregnancy and confinement as well as their consequences. No qualifying period is laid down.

112. Medical care includes:

(a) General practitioner and specialist care at a government hospital or institution (out-patient and in-patient);

(b) X-ray, laboratory examinations and other diagnostic tests including specialized paramedical examinations (e.g. ECG);

(c) Domiciliary visiting in exceptional cases for the saving of life or the aversion of serious disability;

(d) Services provided by nurses, midwives, physiotherapists, radiotherapists, etc.;

(e) Medicines provided at government pharmacies on prescription by a government medical officer;

(f) Hospitalization at a government hospital or other government medical institution;

(g) Dental care, excluding dental prostheses. The latter are provided only to certain low-income groups (e.g. persons receiving social assistance);

(h) Medical rehabilitation and orthopaedic appliances, internal prostheses (pacemakers) and wheelchairs;

(i) Transport of the patient.

113. Cost-sharing is limited to persons entitled to medical care at reduced fees. The share of the patient in such cases is fixed to 50 per cent of the full cost.

114. The medical care aims at:

(a) Prevention of the occurrence or the worsening of a morbid state, including that resulting from an accident or disease;

(b) Improvement of the patient's health;

(c) Reduction of the consequences of the above conditions, through medical rehabilitation and the provision of prosthetic appliances.

115. The Government Medical Services are easily accessible to the beneficiaries of medical care through a network of health centres in rural and urban areas.

116. In respect of pregnancy and confinement the medical care includes prenatal, confinement and post-natal care which are provided by medical practitioners, qualified midwives and nurses, and hospitalization.

117. Medical care benefits are financed out of general taxation.

Cash sickness benefits

118. Sickness benefit is payable to employed persons (i.e. persons working for an employer under an employer-employee relationship, including government employees and apprentices) and self-employed persons (i.e. persons who are gainfully occupied in Cyprus in any employment other than as persons employed on condition that they are ordinarily residents in Cyprus) between the ages of 16 and 63 who are incapable of work. A person is incapable of work who by reason of specific disease or bodily or mental disablement cannot be engaged in his usual occupation.

119. Persons who do not satisfy the contribution conditions for old age pension at 63 are allowed to draw benefit up to the date on which they satisfy the relevant contribution conditions but in no case after the age of 65.

120. "Period of interruption of employment" is defined in the social insurance legislation as any two days of interruption of employment because of incapacity for work or unemployment, whether consecutive or not, within a period of six consecutive days. Any of two such periods not separated by a period of 13 weeks are considered as one period of interruption of employment.

121. The contribution conditions for entitlement to sickness benefit are that the person concerned:

(a) Has been insured for at least 26 weeks and has paid, up to the date of incapacity, contributions on insurable earnings* not lower than 26 times the weekly amount of the basic insurable earnings**;

(b) Has paid or been credited during the previous contribution year with contributions on insurable earnings not lower than 20 times the weekly amount of the basic insurable earnings.

122. To re-qualify for benefit (following exhaustion of right) the person concerned must have paid contributions on earnings not lower than 13 times the weekly basic insurable earnings after the beginning of the period for which the right has been exhausted, and in addition a period of 13 weeks from the date of exhaustion must have elapsed.

123. The benefit is composed of the basic and a supplementary benefit. The weekly rate of the basic benefit is equal to 60 per cent of the insurable earnings of the beneficiary up to the weekly basic earnings (£C 48.70 for the time being) increased by one third for the first dependant and one sixth for each of the second and third dependants of the beneficiary. The weekly rate of the supplementary benefit is equal to 50 per cent of the insurable earnings of the beneficiary in excess of the basic earnings.

124. The earnings to which benefit is related is the average weekly amount of earnings on which contributions were paid or credited for the person concerned in the previous contribution year. The previous contribution year for a period of sickness during the first half of each year is the calendar year before the last and for the second half is the last calendar year.

125. The maximum amount of sickness benefit cannot exceed two times the amount of the basic insurable earnings.

126. The benefit is not payable in case the employed person concerned receives full wages. If reduced wages are paid, the benefit payable, added to the wages paid, must not exceed full wages.

127. The waiting period for the payment of sickness benefit in the case of employed persons is three days for each period of interruption of employment. The waiting period for self-employed persons is 18 days in each period of interruption of employment. However, if incapacity results from any accident or the person concerned is hospitalized the waiting period is the same as for employed persons, i.e. three days.

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* Insurable earnings: The amount of earnings of the insured person on which contributions are payable up to a maximum of six times the basic insurable earnings.

** Basic insurable earnings: A prescribed amount of insurable earnings which for the time being is £C 48.70 a week, or £C 2,532 a year.

128. A person who qualifies for sickness benefit is entitled to 78 days of benefit in respect of the first 26 weeks of his contribution period and to 1 additional day of benefit for every contribution week in excess of 26. The maximum duration of benefit is 156 days in any one period of interruption of employment. For persons who satisfy the contributions for invalidity pension, sickness benefit may be extended for an additional period of 156 days if they do not qualify for invalidity pension for the sole reason that incapacity is not permanent.

129. A person is disqualified from receiving sickness benefit for a period up to six weeks if:

(a) He has become incapable of work through his own fault;

(b) He has without good reason refused or failed to submit himself to medical or other examination or to medical or other treatment;

(c) He has worked on a day on which he has claimed sickness benefit;

(d) He has behaved in a manner likely to retard his recovery.

130. A person is also disqualified from receiving sickness benefit for any period during which he is undergoing imprisonment or detention in legal custody and for any period during which he is absent from Cyprus. However, in the latter case and if the person concerned is absent from Cyprus for the purpose of being treated for an incapacity which began in Cyprus, sickness benefit may be paid to him on his return to Cyprus.

Maternity benefits

131. There are two types of maternity benefit: the maternity grant and the maternity allowance.

132. The maternity grant is payable to a woman giving birth, either on her own insurance or on her husband's insurance. The contribution conditions are the same as for sickness benefit. The amount of the grant is the same for all women entitled to it and is currently £C 149.

133. Maternity allowance is payable to a women, insured as an employed or self-employed person, for a period of 16 weeks beginning between the second and the sixth week before the expected week of confinement. As from 1 January 1993 the benefit has been extended (see Social Insurance (Amendment) Law No. 98(I)/1992) to mothers of adopted children if the adoption took place during the first 14 weeks following the child's birth. The contribution conditions are the same as for sickness benefit. The weekly amount of the allowance is 75 per cent of the weekly average of the insurable earnings of the woman in the previous contribution year.

134. According to the social insurance legislation a women is disqualified from receiving maternity allowance if:

(a) She works as an employed or self-employed person during the period for which the allowance is payable. The disqualification period is determined by the claims examiner but cannot be less than the days on which the woman worked;

(b) She fails without good cause to submit herself to a medical examination.

Moreover, a women is not entitled to maternity allowance for any period for which she has full emoluments from her employer and where the employer pays only part of the emoluments, the maternity allowance is reduced so that the maternity allowance added to the emoluments so paid does not exceed the claimant's full emoluments.

Old age pension

135. Old age pension is payable at the age of 65 for men and women and at the age of 63 for women born before 1 January 1935 and is not conditional on retirement from regular employment. Exceptionally, miners who have at least five years' employment in a mine are entitled to old age pension one month earlier than the normal pensionable age for every five months of work in a mine, on condition that they have retired from mine work, but in no case can they draw pension before the age of 60.

136. The persons protected comprise employed, self-employed (see under sickness benefit above) and voluntarily insured persons. (Voluntary insured persons comprise persons who have for any reason ceased to be compulsorily insured either as employed or self-employed persons and persons working outside Cyprus in the service of Cypriot employers who continued paying contributions on a voluntary basis.)

137. A person is entitled to old age pension if:

(a) On completion of the pensionable age, he satisfies the relevant contribution conditions;

(b) He has completed the age of 63, satisfies the relevant contribution conditions and has weekly average of insurable earnings equal to 70 per cent of the weekly amount of basic insurable earnings;

(c) He was entitled to invalidity pension immediately before reaching the age of 63;

(d) He is between the ages of 63 and 65 and he would be entitled to invalidity pension if he had not completed the age of 63.

138. The contribution conditions for old age pension are:

(a) That the insured person paid insurable earnings in the lower part of insurable earnings at least equal to 156 times the weekly amount of the basic insurable earnings; and

(b) That the insured person who on or after attaining pensionable age satisfies condition (a) above and has a weekly average of paid and credited insurable earnings in the lower part of insurable earnings for the period beginning 5 October 1964 or, if he reaches the age of 16 years after 5 October 1964, on the first day of the contribution year in which he reaches the age, and ending with the week before the week which includes the relevant date, at least equal to one quarter of the weekly amount of the basic insurable earnings.

139. An insured person who reaches the age of 63 and has a weekly average of paid and credited insurable earnings for the period described in subparagraph (b) above at least equal to 70 per cent of the weekly amount of the basic insurable earnings can draw a pension as from age 63.

140. A person who on reaching pensionable age does not satisfy the contribution conditions, will get a pension as from the first day on which he satisfies those conditions but cannot draw a pension if the conditions are not satisfied by the time he reaches the age of 68. In the latter case if he satisfies the first but not the second contribution condition he is entitled to a lump sum payment at the age of 68 equal to 15 per cent of the total amount of his insurable earnings (actual and credited). No such payment is made if the insured person is entitled to social pension.

141. Old age pension comprises a basic pension and a supplementary pension. The weekly rate of the basic pension is equal to 60 per cent of the weekly average of the basic insurable earnings of the person concerned. The weekly amount of basic pension is increased by one third for the first dependant and by one sixth for each of the second and third dependants of the beneficiary.

142. The weekly average of the basic insurable earnings is calculated by dividing the total amount of the basic insurable earnings of the person concerned in the period beginning 5 October 1964 or, if he reaches the age of 16 years after 5 October 1964, on the first day of the contribution year in which he reaches that age, and ending with the week before the week which includes the relevant day, by the number of calendar weeks in the same period.

143. The weekly rate of the supplementary pension is equal to 1/52 of 1.5 per cent of the total insurable earnings of the person concerned in excess of the basic insurable earnings.

144. A person who satisfies the contribution conditions for old age pension is guaranteed a minimum pension which is equal to 70 per cent of the pension for an insured person with 40 years of insurance and a wage equal to the amount of the basic insurable earnings.

145. For the purposes of calculating both the basic and supplementary pension the past earnings of the beneficiary are revalued according to the changes in the general level of earnings.

146. The maximum amount of earnings taken into account for calculating the amount of pension is the ceiling of earnings subject to contributions. This ceiling is equal to six times the basic insurable earnings.

147. A person entitled to old age pension may ask for postponement of the beginning of payment of his pension until the age of 68. In this case, the amount of old age pension is increased by 0.5 per cent for every month between the month of postponement and the month of the beginning of the pension. (A corresponding increase will be granted in the case of widow's pension.)

148. An old age pensioner who has paid contributions on insurable earnings between the date of entitlement to pension and the age of 65, is entitled to a weekly increase of his pension equal to 1/52 of 1.5 per cent of these insurable earnings.

149. A widow is entitled to make use of her husband's insurance record for the period before his death, if this is more favourable than her own insurance in that period. In such case, her old age pension is calculated by adding together the two insurances.

Invalidity benefits

150. The Cyprus Social Insurance Laws provide for invalidity benefit in case of incapacity for work by reason of some specific disease or bodily or mental disablement, which is permanent or likely to be permanent. Invalidity benefit is payable after the expiry of a prescribed period of temporary or initial incapacity. On the expiration of this period the benefit is payable provided that the incapacity to earn is not less than 66⅔ per cent for those who are up to 60 years of age and 50 per cent for those who are between the ages of 60 and 63, compared with the earnings of a healthy person in the same occupation and area as the claimant. The persons protected comprise all employed and self-employed persons including apprentices (see under sickness benefit above).

151. Invalidity benefit is payable to persons who have been incapable of work for at least 156 days and are expected to remain permanently incapable of work, i.e. are unable to earn from work which they are reasonably expected to perform, more than one third of the sum earned usually by a healthy person of the same occupation or category and education in the same area or, in the case of persons between the ages of 60 and 63, more than one half of the aforesaid sum.

152. The contribution conditions are the same as for old age pension. In addition the insured person must have paid or been credited in the last contribution year before the beginning of the benefit year which includes the relevant date with contributions corresponding to insurable earnings not lower than 20 times the weekly basic insurable earnings. This latter condition is also deemed to be satisfied if the average of the last two years is not less than 20 times the basic insurable earnings.

153. In case of invalidity caused by an accident there is entitlement to invalidity pension if the contribution conditions for sickness benefit are satisfied.

154. Invalidity benefit comprises a basic pension and a supplementary pension. The weekly rate of basic pension for 100 per cent invalidity is equal to 60 per cent of the weekly average of the basic insurable earnings of the

person concerned. The basic insurable earnings comprise the insurable earnings up to a prescribed amount (which for the time being is £C 48.70 per week). The weekly amount of basic pension is increased by one third for the first dependant and by one sixth for each of the second and third dependants of the beneficiary. The weekly average of the basic insurable earnings is calculated in the same manner as old age pension. The weekly rate of the supplementary pension for 100 per cent invalidity is equal to 1/52 of 1.5 per cent of the total insurable earnings of the person concerned in excess of his basic insurable earnings. For this purpose prospective insurable earnings are added to actual earnings in respect of the notional period between invalidation and the date the insured will reach age 63.

155. In cases where the invalidity is below 100 per cent the pension is as follows:

For invalidity between 50 per cent-66⅔ per cent, 60 per cent of 100 per cent invalidity pension;

For invalidity between 66⅔ per cent-75 per cent, 75 per cent of 100 per cent invalidity pension;

For invalidity between 75 per cent-99 per cent, 85 per cent of 100 per cent invalidity pension.

156. For the purposes of calculating both the basic and supplementary pension the past earnings of the beneficiary are revalued according to the changes in the general level of earnings. For the calculation of the invalidity pension the earnings taken into account include insurable earnings up to the ceiling applicable from time to time for contribution purposes. The benefit may be reviewed in cases where the beneficiary's condition changes. If after medical examination it is proved that the beneficiary's capacity to earn has been restored the pension is cancelled. In case the beneficiary's incapacity changes upwards or downwards within the limits giving title to pension the pension is revised accordingly.

157. The benefit provided is payable until the beneficiary reaches the age of 63 in which case the invalidity pension is converted into an old age pension.

158. The invalidity pension may be suspended for up to six weeks if the beneficiary fails without good cause:

(a) To submit himself to a medical examination or re-examination by a Medical Board;

(b) To submit himself to such medical treatment as is considered appropriate in his case by the medical practitioner in charge of his case or by a Medical Board;

(c) To attend such vocational training or rehabilitation course as the Director of Social Insurance may direct.

In addition, a person is disqualified from receiving invalidity pension as long as he is undergoing imprisonment or detention in legal custody.

159. In all the above cases 50 per cent of the pension is payable to the dependants of the beneficiary.

160. The pension is also suspended during any period for which the beneficiary is in receipt of another benefit at a rate higher than the invalidity pension.

161. Persons receiving invalidity benefit are entitled to free medical care provided by government hospitals and institutions. The expenses are borne by the Social Insurance Fund.

Survivor's benefits

162. The social insurance laws provide for the payment of a funeral grant, widow's/widower's pension and orphan's benefit.

163. A funeral grant is payable on the death of a person if he:

(a) Satisfied the relevant contribution conditions at the date of his death; or

(b) Was entitled at the date of his death to old age, invalidity, widow's pension, missing person's allowance or death benefit;

(c) Has been a person in respect of whom orphan's benefit or missing person's allowance was payable;

(d) Died as a result of an injury caused by employment accident or disease, due to his employment as employed person;

(e) Was either a dependant of an insured person who satisfied the relevant contribution conditions at the time of the dependant's death or a dependant of a person who at the time of the dependant's death was entitled to one of the benefits referred to in (b) above.

164. The contribution conditions mentioned in (a) above are the same as for maternity grant.

165. The amount of funeral grant is currently £C 200 for cases (a) to (d) above and £C 100 for the dependants.

166. The widow's pension is payable to the widow, and under certain conditions to the widower (if at the time of his wife's death he was permanently incapable of self-support and was wholly or mainly maintained by her), of a person who on his/her death satisfied the contribution conditions for old age pension or was in receipt of old age pension. In case of death caused by an accident, there is entitlement to widow's pension if the contribution conditions for funeral grant are satisfied.

167. As in the case of old age pension, the widow's pension consists of the basic pension and the supplementary pension. The basic pension is assessed in

the same way as the basic old age pension. The supplementary pension is, in the case of a widow whose husband was not in receipt of an old age pension, 60 per cent of the supplementary invalidity pension to which the deceased would be entitled on his death if he was treated as an invalid on that date, and in the case of a widow whose husband was in receipt of an old age pension, 60 per cent of the supplementary old age pension which was payable to the deceased.

168. A lump sum is payable to a widow whose husband satisfies the first, but not the second contribution condition (see above under old age pension). This lump sum is equal to 15 per cent of the total amount of his insurable earnings in the "lower band" and 9 per cent of his total amount of insurable earnings in the "upper band". It is indicated that the said amount is not paid to the widow/widower in case she/he is entitled to social pension.

169. In case of remarriage, the widow is entitled to a gratuity equal to one year's pension, excluding any increases for her dependants. The increases for dependent children if any, continue to be paid in the form of half-orphan's benefit after the marriage of the mother.

170. The orphan's benefit is payable for a minor:

(a) Both of whose parents are dead, or whose parents were separated and the one under whose care he was is dead;

(b) One of whose parents died and the surviving parent is not entitled to widow's pension;

(c) Whose widowed mother, who was in receipt of widow's pension, remarried.

171. Case (a) above is conditional on the fact that one of the parents was an insured person. Case (b) is conditional on the fact that the deceased parent fulfils the contribution conditions for widow's pension. The orphan's benefit in case (a) above is composed of the basic benefit and the supplementary benefit. The basic orphan's benefit is 40 per cent of the basic insurable earnings. The supplementary benefit is 50 per cent of the widow's pension which was or would have been payable for the death of the parent, but the total of such benefit in no case can be higher than the said full widow's pension, where there are more than two orphans. The orphan's benefit in cases (b) and (c) above is equal to 20 per cent of the basic insurable earnings for one orphan, 30 per cent for two orphans and 40 per cent for three or more orphans. The orphan's benefit is payable until the orphan attains age 15 or age 23 if a female and in full-time education or 25 if a male and in full-time education or in military service. There is no age limit for orphans who are permanently incapable of self support. A gratuity of one year's benefit is payable to an orphan, in case (a) above, on termination of his entitlement, other than by death, before the age of 17.

Employment injury benefits

172. The benefits for employment accidents and occupational diseases are as follows:

(a) Temporary incapacity (injury benefit);

(b) Disablement benefit;

(c) Death benefit.

173. An employment accident is an accident arising out of and in the course of the employment of an employed person and includes an accident happening in Cyprus while an employed person is travelling to or from his place of work.

174. Occupational diseases are prescribed in the Social Insurance (Diseases) Regulations.

175. Injury benefit is payable to any employed person who is incapable of work as a result of an industrial accident or occupational disease. The benefit is payable for up to 12 months from the date of accident or contraction of the disease. The rate of injury benefit is the same as for sickness benefit, except that the minimum benefit for persons, whose earnings are below the basic insurable earnings, is that corresponding to such earnings.

176. Disablement benefit is payable to any employed person who as a result of an employment injury suffers a loss of physical or mental faculty of a degree of not less than 10 per cent, with the exception of disablement due to pneumoconiosis, which is compensated from 1 per cent. Disablement benefit may take the form of either a grant (lump sum) or a pension, depending on the degree of disablement. The former is payable for disability between 10 per cent and 20 per cent and the latter for disability 20 per cent and above. (No benefit is payable for disability below 10 per cent.)

177. The disablement grant is now £C 1,064 for 10 per cent disablement and rises accordingly for every degree above 10 per cent reaching £C 2,021 for 19 per cent disablement. The disablement pension comprises a basic pension and a supplementary pension. The weekly basic disablement pension for 100 per cent disability is 60 per cent of the weekly basic insurable earnings, increased by one third for the first dependant and one sixth for each of the second and third dependants. The weekly supplementary pension is 60 per cent of the weekly average of insurable earnings of the beneficiary above the basic insurable earnings, in the period beginning with the first day of the second year before the year in which the accident occurred and ending with the day of accident.

178. The disablement pension for a degree of disablement below 100 per cent is proportional to the actual degree. However, if the disablement renders the person concerned permanently incapable of work, the disablement benefit is always that payable for 100 per cent disablement. A person in receipt of benefit for 100 per cent disablement is entitled to a constant attendance allowance if he is in need of the constant care of another person. The weekly amount of this allowance is for the time being £C 15.89 per week.

179. Death benefit is paid to the survivors of an employed person, who dies as a result of an employment injury. The benefit includes (a) widow's or widower's pension, (b) orphan's benefit and (c) parent's allowance.

180. The widow's pension (and under certain conditions the widower's pension) consists of a basic pension and a supplementary pension. The basic pension is the same as the basic disablement pension for 100 per cent disablement. The supplementary widow's pension is 60 per cent of the supplementary disablement pension which the deceased was or would have been receiving, as explained under "disablement pension" above, for 100 per cent disablement.

181. The orphan's benefit for death caused by employment injury is payable for a minor and is composed of a basic part and a supplementary part. The basic part is 40 per cent of the basic insurable earning and the supplementary part is 50 per cent of the supplementary widow's pension which was or would have been payable for the death of the parent but the total of such benefit can in no case be higher than the said full widow's pension where there are more than two orphans.

182. The parent's allowance, which is payable only if the deceased is not survived by a spouse or orphans, consists of a basic allowance equal to 40 per cent of the basic insurable earning a week per parent and a supplementary allowance equal to 30 per cent of the 100 per cent supplementary disablement pension which was or would be payable to the deceased.

183. A funeral grant is paid in every case the victim of a work accident or occupational disease dies. The beneficiary is surviving spouse and in the absence of a spouse the person who has undertaken the funeral expenses.

184. In case of temporary incapacity for work the injury benefit is paid from the fourth day of the incapacity. There is no waiting period for medical care, disablement benefit or death benefit. Persons entitled to injury or disablement benefit are also entitled to free medical treatment at or in institutions of the Government. The expenses of such treatment are borne by the Social Insurance Scheme.

185. According to the social insurance legislation a person is disqualified from receiving injury benefit if:

(a) After the Director of Social Insurance has required him to submit himself to medical or other examination or to medical treatment, he has without good cause refused or failed to attend or to submit himself to such examination or treatment; or

(b) He did not without good cause follow the instructions of the medical authority; or

(c) He has worked on a day for which he has claimed injury benefit; or

(d) He has behaved in a manner likely to retard his recovery.

186. A person is also disqualified from receiving injury benefit during any period of imprisonment or detention in legal custody and any period during which he is absent from Cyprus. In the latter case and if the beneficiary is absent from Cyprus for treatment purposes the benefit suspended may be paid to him on his return to Cyprus.

187. Widow's pension is terminated on remarriage of the beneficiary. In such a case a lump sum equal to the amount of one year's pension is paid. The increases for dependant children, if any, continue to be paid in the form of half-orphan's benefit after the marriage of the mother.

188. The injury benefit is suspended if the beneficiary is entitled to another benefit at higher rate but in the case of widow's pension the pension is payable in addition to sickness benefit, injury benefit, unemployment benefit or maternity allowance. If the beneficiary of a widow's pension is also entitled to old-age pension or invalidity pension she will get the two basic parts of the pension subject to a maximum equal to the full basic pension and the two supplementary parts of the pension subject to a maximum equal to the amount of supplementary pension payable for earnings up to the maximum amount of insurable earnings.

189. In the case of disqualification of any person for receiving injury benefit or disablement pension, 50 per cent of the benefit is paid to the dependants of the beneficiary.

190. Social insurance legislation provides that every claimant for and every beneficiary in respect of injury benefit or disablement benefit shall, if requested by the Director of Social Insurance, attend any occupational training or rehabilitation course that might be provided and which, in the opinion of the Director, is appropriate in his case. Further, it provides that the expenses incurred in respect of any person attending any such course shall be paid out of the Social Insurance Fund as may be provided by regulations.

191. In Cyprus a Centre for Training and Rehabilitation of Disabled Persons has been established and is in operation since 1968. There is close cooperation between the Centre and the Social Insurance Department which administers the social insurance legislation, for the rehabilitation and training of the victims of industrial accidents and occupational diseases. In practice officials of the Centre review the cases of such victims and advise as to the suitability for rehabilitation and training.

192. Under the Social Insurance (Expenses for Vocational Training) Regulations persons attending courses approved by the Director of Social Insurance are entitled, in addition to the benefit payable, to a daily allowance and the fees for the training. The daily allowance covers the expenses for transportation, food and accommodation.

Unemployment benefit

193. Unemployment benefit is payable to employed persons (see under sickness benefit above) between the ages of 16 and 63 for involuntary unemployment. The following classes of employees are excluded:

(a) Employment in the service of the husband or wife of the person employed;

(b) Employment of a person who is not ordinarily resident in Cyprus, if the employer of that person is not ordinarily resident in Cyprus and has no place of business there;

(c) Employment as a secretary or clerk of a society, club, philanthropic institution, school or other similar body or institution, where personal service is ordinarily required only occasionally or outside the ordinary hours of work;

(d) Employment involving part-time service only as a caretaker or key-keeper of an ancient monument;

(e) Employment as a caretaker in respect of which the person employed has no earnings;

(f) Employment as President of a Local Government Authority;

(g) Employment in respect of which there is no payment of earnings, where the person employed is the father, mother, grandfather or grandmother of the employer;

(h) Employment in agriculture in the service of the father or mother of the person employed.

194. According to the social insurance laws among the insurable employments as employed persons are included:

(a) Employment in any prison of the Republic of a person undergoing imprisonment; and

(b) Training in Cyprus of a person under a programme of industrial training organized by the Industrial Training Authority.

In both the above cases contributions paid during the period of imprisonment or training give right to unemployment benefit subject to the contribution conditions.

195. Moreover, the period of military service is deemed to be a contribution period taken into account for the purposes of the second contribution condition. In this way persons who had been in insurable employment for at least six months before the beginning of the military service are entitled to unemployment benefit on their discharge.

196. Persons who do not satisfy the contribution conditions for old-age pension at the age of 63 are allowed to draw benefit up to the date of which they satisfy the relevant contribution condition but in no case after the age of 65.

197. The contribution conditions are the same as sickness benefit.

198. For qualification after exhaustion of right, the person concerned must have paid contributions on earnings not lower than 26 times the weekly basic

insurable earning in the period from the beginning of the last period of interruption of employment, and in addition a period of 26 weeks must have elapsed since the date of exhaustion.

199. Exceptionally, persons over 60 years who do not receive any pension under any occupational scheme or a lump sum payment from a Provident Fund re-qualify for unemployment benefit after exhaustion of their right to this benefit under the same conditions as for re-qualification of sickness benefit.

200. There is a waiting period of three days except in the case of persons working abroad in the service of a Cypriot employer in respect of whom the waiting period is 30 days.

201. The weekly rate of unemployment benefit is the same and is calculated in the same manner as sickness benefit.

202. A person who satisfies the minimum qualifying period of 26 weeks of contribution is entitled to 78 days of unemployment benefit and one additional day's benefit for every week of contribution in excess of 26 up to a maximum of 156 days of unemployment benefit within the same period of interruption of employment.

203. A person is disqualified from receiving unemployment benefit if:

(a) He has lost his employment by a reason of a stoppage of work which was due to a trade dispute at this place of employment. In this case he is disqualified from receiving unemployment benefit as long as the stoppage or work continues, except in a case where, during the stoppage of work, he has become bona fide employed elsewhere or has become regularly employed in some other occupation. Provided that this does not apply in the case of a person who proves that:

(i) He is not participating in or financing or directly interested in the trade dispute which caused the stoppage of work; and

(ii) He does not belong to a grade or class of workers of which, immediately before the stoppage began, there were members employed at his place of employment and any of whom are participating in or financing or directly interested in the stoppage of work;

(b) A person is also disqualified from receiving unemployment benefit for any period not exceeding six weeks if:

(i) He has lost his employment through his own fault or has voluntarily left his employment without good cause;

(ii) After a situation in any suitable employment has been notified to him by an employment exchange or other recognized agency, or by or on behalf of an employer, as vacant or about

to become vacant, he has without good cause refused or failed to apply for that situation or refused to accept that situation when offered to him;

(iii) He has neglected to avail himself of a reasonable opportunity for suitable employment;

(iv) He has without good cause failed or neglected to undergo occupational training as required of him by the Director.

204. An employment is not suitable in relation to an unemployed person if it is:

(a) Employment in a vacancy in consequence of a stoppage of work due to a trade dispute;

(b) Employment in his usual occupation in the area where he was last ordinarily employed at a rate of remuneration lower or on conditions less favourable than those which he might reasonably have expected to obtain, having regard to those which he habitually obtained in his usual occupation in that area, or would have obtained had he continued to be so employed;

(c) Employment in his usual occupation in any other area at a rate of remuneration lower, or on conditions less favourable, than those generally observed in that area by agreement between associations of employers and of employees, or, failing any such agreement, than those generally recognized in that area by good employers.

205. Provided that after the lapse of such an interval from the date on which a person becomes unemployed, as in the circumstances of the case is reasonable, employment shall not be deemed to be unsuitable by reason only that it is not in his usual occupation, if it is employment at a rate of remuneration not lower, and on conditions not less favourable, than those generally observed by agreement between associations of employers and of employees, or failing any such agreement, than those generally recognized by good employers.

206. A person is not entitled to unemployment benefit for any period during which he is in receipt of compensation for the loss of his employment which is substantially equal to the remuneration which he would have received if his employment had not ended.

Family benefits

207. Child benefits. In accordance with the Child Benefits Laws of 1987-1991 child benefit is paid to families ordinarily residing in Cyprus with at least four dependant children. The age-limit for children is 18 years. This is extended to 23 for unmarried female children who are attending full-time education and to 25 for unmarried male children who serve in the national guard or attend full-time education. There is no age-limit for unmarried children who are permanently incapable of self-support.

208. Under the Child Benefit Scheme the periodical payment is £C 20 per month for every child payable for 13 months (i.e. £C 260 per year). There is no qualifying period for entitlement to child benefit. The criterion for payment is ordinary residence without any condition regarding its length. Child benefits are financed out of general taxation.

209. The percentage of GNP spent on Social Security in 1993 was 9.35 per cent as compared with 7.64 per cent in 1983. The increase is due to the improvement of benefits effected during the decade and the introduction of new benefits.

210. Supplementary benefits. A number of employees in the private and public sectors are covered by Provident Funds or Occupational Pension Schemes which provide benefits supplementary to those of the State Social Insurance Scheme, the first in the form of lump sums and the latter in the form of periodical payments. Occupational Pension Schemes are contributory or non-contributory.

211. As from 6 October 1980, date on which the current Social Insurance Scheme came into effect, the rate of contributions payable to Provident Funds was reduced by 6 percentage points (3 points deducted from the employer's contribution rate and 3 points from the employees' contribution rate), but only in respect of wages/salaries up to the ceiling of insurable earnings.

212. In the case of contributory Pension Schemes from the above date the benefits for service were reduced as from the time of the award of the social insurance pension by the amount of the corresponding supplementary pension. The contributions to such schemes have also been reduced having regard to the resulting actuarial saving for each scheme.

213. Schemes non-contributory on the part of the employee reduce their benefit to the same extent as for contributory schemes, but the employer is required to pay to the Social Insurance Scheme a contribution of 9.4 per cent instead of 6.3 per cent and the employee affected 3.2 per cent instead of 6.3 per cent. This arrangement compensates the employee for the reduction of his occupational pension; otherwise, the employer would benefit disproportionally from the saving of the occupational scheme.

214. Gratuities payable by the employer on retirement, death or termination of employment are reduced by a sum equal to 3 per cent of the insurable earnings of the employee concerned plus interest.

215. The social insurance legislation covers compulsorily every person gainfully occupied either as employed or as self-employed person with minor exceptions such as married women employed in agriculture or female unmarried daughters under the age of 35 employed in agriculture and living with their parents and employed persons in the service of the husband or wife. Married women not working and maintained by their husbands are covered indirectly by the social insurance legislation since they are regarded as dependants of their husband who gets increases to any benefits to which he is entitled. In case of his death they receive widows pension.

216. Within the framework of Government's policy of improving further the protection afforded in the field of social security, the Government has

introduced as from May 1995 the institution of Social Pension. This pension is payable to all persons who complete the age of 68 and are not entitled to a pension or other benefit from any source and satisfy certain residence conditions. The rate of the pension is equal to the rate of the minimum social insurance pension. It is reviewed in the same manner as social insurance pensions. The cost of social pensions is borne by the Government. Although this pension applies to both men and women, the beneficiaries will be mainly persons not compulsorily insured, i.e. housewives and women employed in agriculture and living with their husbands.

217. The main improvements effected to the Social Insurance Scheme since the previous report are:

(a) In 1985 the minimum pension was introduced, its rate having been fixed at 50 per cent of the full basic pension and the rate of maternity benefit was increased from 50 per cent to 75 per cent of the woman's earnings;

(b) In 1987 the payment of dependants' allowance was extended to cover children between 18 and 25, if attending full-time education or serving in the National Guard, and the orphan's benefit was extended to cover half orphans. Moreover, social insurance coverage was extended to farmers' daughters unmarried and over the age of 35;

(c) In 1989 the rate of minimum old-age pension and invalidity and survivors' pensions for persons with deficient insurance was raised from 50 per cent to 70 per cent of the full basic pension, the maximum period of payment of sickness benefit was extended from 6 to 12 months and the payment of invalidity pension which was restricted to cases of total incapacity was extended to persons partially incapable of work if the resulting loss or earning capacity is at least two thirds;

(d) In 1990 the pensionable age of women was reduced from 65 to 63;

(e) In 1993:

(i) The pensionable age of women born after 1 January 1935 was increased from 63 to 65, so that the pensionable age would be the same for both sexes. Moreover, insured persons who reach the age of 63 are entitled to old-age pension if they complete a prescribed period of insurance;

(ii) The degree of loss of earning capacity which gives the right to an invalidity pension was reduced for insured persons 60 years of age and over from 66.66 per cent to 50 per cent;

(iii) The period of payment of maternity allowance was extended from 12 to 16 weeks and the allowance extended to women who adopt children if the adoption takes place during the first 14 weeks of a child's life; special credits for child-rearing were introduced for insured women for pension purposes;

(iv) The conditions for re-entitlement to unemployment benefit were made more flexible for persons 60 years of age and over;

(v) Provisions were made for additional revision of pensions every July on the basis of changes in the cost of living index.

218. In addition, it may be pointed out that the rates of basic benefits were increased since 1983 (the last year covered by the previous report) by 148.5 per cent and the supplementary benefits by 68.8 per cent. The amounts for marriage grant, maternity grant and funeral grant were increased from £C 80, £60 and £80 respectively to £C 299, £149 and £200 respectively.

219. Cyprus is not a recipient of technical assistance in the field of social security. However, there is close cooperation with international organizations with competence in social security matters such as the ILO, the International Social Security Association and the Council of Europe. It may be mentioned that in 1994 Cyprus organized, in collaboration with ILO, a Round-table on the Design and Governance of Social Protection Systems for the benefit of participants from Central and Eastern Europe.

Revision of insurable earnings and rates of benefits payable by the Social Insurance Fund

220. According to the social insurance legislation the amount of the basic insurable earnings as well as the ceiling of such earnings is adjusted every year to the movement of the general level of insurable earnings. The adjustment is mandatory if the said level increases by 5 per cent or more and applies also to past insurable earnings, which are thus revalued to the prevailing level of earnings.

221. As regards short-term benefits (i.e. sickness, maternity, injury and unemployment), in view of the fact that their amount is a percentage of the earnings, they are automatically reviewed with the review of the earnings. As regards pensions (old-age, invalidity, widow's, and disablement), the rates of basic pensions are reviewed at the beginning of each year in accordance with the percentage of revision of the basic insurable earnings, whilst the rates of the supplementary pensions are reviewed in accordance with the increase of the cost of living increase (comparison of the second half of the year with the second half of the previous year). Furthermore, the rates of pensions are increased every July in accordance with the increase of the cost of living index (comparison of the first half of the year with the previous one) if the latter is at least 1 per cent. This increase is taken into account when determining the increase of the rates of pension at the beginning of the year.

Financing

222. The Social Insurance Scheme is financed by contributions payable by employers, insured persons and the State. In the case of employees the contribution is 16.6 per cent assessed on the employee's earnings. 6.3 per cent payable by the employer, 6.3 per cent payable by the employee and 4 per cent payable by the State. In the case of self-employed persons the contribution is 15.6 per cent on the self-employed person's prescribed income,

11.6 per cent payable by the self-employed and 4 per cent by the State. The rate of contribution for voluntarily insured persons is 13.5 per cent on the income on which they choose to pay contributions, 10 per cent payable by himself and 3.5 per cent by the State.

223. There is a Social Insurance Fund into which all contributions are paid and out of which payment of benefits are made. The Social Insurance Fund has three separate accounts: the General Benefit Account; the Supplementary Benefit Account; the Unemployment Benefit Account. The General Benefit Account is credited with 9.5/15.5 of the total contribution and is charged with the payment of all the basic periodical benefits (except unemployment benefit), the grants and the administrative expenses of the whole Scheme, except those of unemployment benefit. The Supplementary Benefit Account is credited with 6/15.5 of the total contribution and is charged with all payments of the supplementary earnings-related benefits (except unemployment benefit). The Unemployment Benefit Account is credited with 6 per cent of the contributions payable in respect of employed persons and is charged with the payment of unemployment benefit and the resulting administrative costs.

Article 10

224. International legal instruments directly or indirectly concerning the family, mothers and children which have been ratified by the Republic of Cyprus by law, include the following:

International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights (ratified by Cyprus Law 14/69);

Convention on the Elimination of All Forms of Discrimination against Women (ratified by Cyprus Law 78/85);

Convention on the Rights of the Child (ratified by Cyprus Law 243/90);

Convention Against Discrimination in Education (ratified by Cyprus Law 18/70);

United Nations Convention on the Recovery Abroad of Maintenance (ratified by Cyprus Law 50/78);

Declaration on the Rights of Mentally Retarded Persons and the obligations of the State regarding disadvantaged persons as specified in the European Social Charter (regulated by Cyprus Law 117/89);

International Convention on the Elimination of All Forms of Racial Discrimination (ratified by Cyprus Law 12/67);

European Convention on the Legal Status of Children Born Out of Wedlock (ratified by Cyprus Law 50/79);

European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (ratified by Cyprus Law 36/86);

European Convention for the Protection of Human Rights and Fundamental Freedoms (ratified by Cyprus Law 39/62);

European Social Charter (ratified by Cyprus Law 64/67, Amendment Law 5/75);

The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (ratified by Cyprus Law 26(III)/94).

225. The Department of Social Welfare Services has recently contributed to the preparation of progress reports on the implementation of both the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, which are relevant to the provisions of article 10.

226. Cyprus society generally considers the term "family" to mean parents, children and grandparents even though grandparents, as a rule, no longer live with their children as they used to do in the past. Under Cyprus legislation the term "family" has a meaning which differs according to the context in which it is being used. A restricted meaning is to be found in the laws for the protection of children and it means the father, mother and children. It has the same restricted meaning when reference is made to the marital or family house. Under the Law for the Prevention of Violence in the Family of 1994 (Cyprus Law 47(I)/94), the term "family" covers the father, mother, children and grandparents. There is no formal definition of the family which is used for the formulation of social welfare policies and services, however, the family in this context is taken to mean parents or a parent with children, together with others who are blood relatives or to whom they are tied emotionally and/or for reasons of responsibility or duty of care.

227. The ages at which children in Cyprus are deemed to legally attain majority for different purposes are the following:

Purpose	Age	Observations
Majority		
(a) Civil majority	18	
(b) Penal majority	12	
(c) Penal minority	7	
Marriage		
(a) Without parental consent	18	
(b) With parental consent	16	
Passport	18	
Nationality	21	
Religion (change)	16	

Work

(a)	Full time	15	Except industrial employment.
		16	Minimum age for industrial work.
(b)	Apprenticeship	15	Includes industrial apprenticeship with special licence.

Army

(a)	Enlist	17	If the youth graduates from/leaves school before reaching 18 and enlists voluntarily.
(b)	National service	18	

Savings account

(a)	Deposits	18	16 with parental consent.
(b)	Withdrawal	18	16 with parental consent.

228. The Cyprus family has evolved beyond the traditional patriarchal system of relationships and has become basically child-centred, presenting a greater equality in the man-woman and child-adult relationship. Consequently, men and women are generally free to marry the person of their own choice, without being obliged to comply with the wishes of their families, as they did in the past.

229. Young people generally adhere to traditional cultural values and beliefs regarding the importance of the family and follow the life-path their parents strode regarding marriage, procreation and the creation of a family. Like their parents before them, modern parents make personal and financial sacrifices to provide the best possible conditions and opportunities for their children and expect them to effectively use what is offered to them to advance themselves academically, professionally and socially, to be law-abiding citizens, to become "a good husband/wife/parent" and to show respect and concern for their parents in their old age.

230. Although traditional cultural values perpetuate a strong family ethos, friction is created in some families because of the increased demands placed on the modern family and the greater ambiguity of family roles but also because some young people are overly influenced by the cultures of other countries.

231. The Department of Social Welfare Services, under the Ministry of Labour and Social Insurance, maintains a centralized responsibility for the general orientation of family policy. Family policy is based on the principle that family life has a fundamental role to play in the development of personality. The main focus of family policy is the organization, provision and promotion of such measures and services that support and strengthen the family in order to enable its members to effectively exercise their roles and responsibilities (in the economic, work and home spheres and in the general social situation). Attention is paid to changes in family roles and needs, effectuated by social change, in order to assess the adequacy and relevance of existing family policies and services and to modify them where necessary.

232. In the area of supportive family services, the following examples are given:

(a) Counselling and instrumental assistance, including home-help, to families facing relationship or other social difficulties, to enable them to function adequately and to prevent the aggravation of conditions which might lead to family disruption and breakup;

(b) Public assistance in the form of monetary support or services such as home-help and care, in order to safeguard the right of individuals and families to a decent standard of living;

(c) Follow-up social work assistance to persons discharged from psychiatric institutions or prisons and their families;

(d) Residential and foster care for children in need of care and protection and social work services to their families, aiming at improving conditions and facilitating the earliest possible return of the children to their homes;

(e) Day-care services for preschool and school-age children of working parents;

(f) Mediation services between parents in child custody cases in order to safeguard the child's best interests;

(g) Group counselling to adoptive parents;

(h) Home-help and day-care services for elderly persons and family members with special needs.

233. All families legally residing in the areas under the control of the Republic of Cyprus are eligible to apply for supportive social welfare services, which are provided in accordance with legislation and administrative procedures.

234. Extended families are not only recognized in determining the availability and applicability of supportive services but are also liable for maintenance and care in certain cases. As regards public assistance, for example, the relevant law stipulates that adult children are responsible for the maintenance of their parents if the latter are unable to maintain themselves. In cases where maintenance responsibilities are unjustifiably not fulfilled and public assistance is provided, the court may issue a maintenance order, on the application of the Director of Social Welfare Services. Failure to comply with a maintenance order issued by the court under the Public Assistance and Services Law may, in accordance with the Criminal Procedures Law, amount to an offence of contempt of court punishable with imprisonment.

235. Despite the above measures aiming at the support, strengthening and protection of the family, shortcomings are visible not because of any inadequacy of the measures themselves but because of the consequences and effects on families of the Turkish invasion of Cyprus in 1974 and occupation of about 37 per cent of its territory and the continuing violation of human

rights. Families are deprived of the right to move freely throughout their own country and to live in any area of their choice. Displaced families are deprived of the right to live in their own homes in the occupied areas. Families with missing relatives are deprived of the right to be informed of the fate of their loved ones. Greek-Cypriot families living in the occupied areas have no access to social welfare services and Greek-speaking secondary school facilities. Their children must either be deprived of secondary education or be separated from their parents at the age of 12 years in order to be educated in the free areas. Older children being educated in the free areas are not allowed by the occupation forces to visit their families. Similarly, those wishing to return to their homes, on completion of their education, are prevented from doing so and are forced to live in the free areas without their families.

Maternity leave

236. Provisions concerning maternity protection exist in both labour and social insurance legislation.

237. The Maternity Protection Laws 1987 to 1995:

(a) Safeguard the right of employed women to maternity leave for a total period of 14 consecutive weeks of which 11 must be taken during the period commencing from the second week before the week of the expected confinement;

(b) Guarantee to women the payment during their maternity leave of an allowance to the extent and subject to the terms and conditions provided in the social insurance legislation;

(c) Protect pregnant women from unlawful dismissal by their employer. More specifically, they provide that it shall be unlawful for any employer to give notice of dismissal to any female employed person during the period commencing from the time such female employed person notifies him, by the production of a certificate of a registered medical practitioner, of her pregnancy and ending after the expiration of three months from the end of the period of her maternity leave, or a notice of dismissal which would expire during the period commencing from the time the female employed person notifies him, by the production of a certificate of a registered medical practitioner, of her pregnancy and ending after the expiration of three months from the end of the period of her maternity leave;

(d) Grant facilities for nursing and care of the child for a period of six months following confinement;

(e) Prohibit the employment of a pregnant woman in work to be defined in regulations as being prejudicial to her health or that of her child;

(f) Preserve the seniority rights of the woman as well as her right to reinstatement in her former work or in equivalent work paid at the same rate.

238. The first Maternity Protection Law (Law No. 54 of 1987) safeguarded the right of employed women to maternity leave of 12 consecutive weeks, 9 of which should be taken during the period commencing from the second week before the week of expected confinement. The Protection of Maternity (Amendment) Law No. 48(I) of 1994 extended the period of maternity leave from 12 to 14 weeks of which 11 are taken compulsorily in the period commencing the second week before the week of the expected confinement. This law, which came into force in June 1994, contains a provision whereby the period of maternity leave is extended to 16 weeks as from 1 January 1997.

239. The Social Insurance Laws 1980-1995 provide for the payment of maternity allowance to insured employed and self-employed women for a period of 16 weeks commencing at any time between the second and sixth week before the week of the expected week of confinement. Maternity allowance is paid also to women who adopt children provided the adoption takes place within the first 14 weeks from the child's birth.

240. The contribution conditions for entitlement to maternity allowance are that the claimant:

(a) Has been insured for at least 26 weeks and has paid, up to the date of confinement, contributions on insurable earnings not lower than 26 times the weekly amount of the basic insurable earnings (currently £C 48.70 per week); and

(b) Has paid or been credited during the previous contribution year with contributions corresponding to earnings not lower than 20 times the weekly amount of the basic insurable earnings.

The weekly rate of the allowance is 75 per cent of the earnings on which contributions were paid or credited in the previous contribution year. As a rule, the employer supplements this benefit up to the woman's full earnings for the period of maternity leave (14 weeks).

241. The payment of maternity allowance under the social insurance legislation was introduced for the first time in 1964. Thus, the Social Insurance Law No. 2/64 provided for the payment of a flat rate maternity allowance to insured employed women for a period of 12 weeks beginning with the sixth week before the week of confinement. In 1980, by Law No. 41 of 1980, the allowance became earnings-related. In 1983 maternity allowance was extended by the Social Insurance (Amendment) Law No. 11/83 to self-employed women. In 1988 the social insurance legislation was amended by Law No. 68/88 so as to provide that the period of payment of maternity allowance would commence between the second and the sixth week before the week of expected confinement. This amendment was made in order to streamline the social insurance legislation with the maternity protection legislation. The maternity protection legislation applies to employed women, whereas the social insurance legislation applies to employed and self-employed women.

Protection of children and young persons

242. As stated in the previous reports the employment of children (i.e. persons under 16) and young persons (i.e. persons between 16 and 18)

is regulated by the Children and Young Persons Employment Law (Cap. 178 as amended by Laws No. 61 of 1964, 18 of 1968 and 239 of 1990). (Appendix D, documents 1 and 2.) The Employment of Children and Young Persons (Amendment) Law No. 239 of 1990 which came into force on 21 December 1990 effected significant improvements to the protection of employed children and young persons. This Law, inter alia:

(a) Prohibits the employment of children who have not completed the age of 15 in any occupation. This prohibition is absolute and no derogations are allowed;

(b) Prohibits the employment of children (i.e. persons between 15 and 16) in any industrial undertaking. Exception can be made in the case of a child indentured as an apprentice, under a special licence granted by the Minister of Labour and Social Insurance;

(c) Prohibits completely the employment of children and young persons under the age of 18 in work carried out in an underground place or in mines;

(d) Limits the hours of work of children in any undertaking to 36 a week or 7 hours and 15 minutes per day;

(e) Prohibits the employment of children in any occupation at night and of young persons in any industrial undertaking subject to certain exceptions.

243. Moreover, the Primary and Secondary Education (Compulsory and Free Education) Law No. 24(I) of 1993 provides that education at the primary school and at the gymnasium is compulsory until the pupil completes the gymnasium cycle or the fifteenth year of age, whichever occurs first.

244. Specific data with regard to the number of children by age-group engaged in paid employment is not available. The following data, however, give an indication of the number of children engaged in paid employment: during 1994, 203 children (aged 15 to 16) were working in industry under a special licence granted by the Minister of Labour and Social Insurance, according to the Children and Young Persons (Employment) Law. Also, 710 children and young persons (aged 15-17) were employed under the Apprenticeship Training Scheme.

245. In view of the provisions of the Children and Young Persons (Employment) Law that prohibit the employment of children under the age of 15 in any occupation and the provisions of the Primary and Secondary Education (Compulsory and Free Education) Law No. 24(I) of 1993 according to which education is compulsory until the age of 15, the employment of children in family households, farms or businesses is practically non-existent.

246. With regard to children and young people who lack the protection and support of their natural families, the policy of the Department of Social Welfare Services of the Ministry of Labour and Social Insurance has always been to provide protective services in conditions approximating a natural family situation. Though every effort is made by the Department to prevent the removal of children from their families, in some cases this is unavoidable. The Director of the Department is empowered by legislation to take into his care children who are in need of care and protection. In such

cases, the use of foster families and group foster homes is preferred to residential placements in institutions. When a child is taken into care, counselling and social work services are provided to its family, with the aim of improving conditions and facilitating the earliest possible return of the child to its own home.

247. As regards the residential care of children, this is used only in cases which present special behavioural problems or other difficulties which cannot be dealt with in the child's own home or in foster families. Where possible, arrangements are made to receive children in residential homes on a day-care basis in order to avoid removal from their families. Residential homes operated by the Department for children and young people include children's homes, boys' hostels, a home for girl pupils of secondary education whose parents live in the occupied areas of Cyprus (where there are no Greek-speaking secondary schools) and a home for severely retarded children and adults.

248. In the last decade, children in Cyprus have become more aware of their rights mostly because of the enlightening campaigns undertaken by the Committee for the Protection and Welfare of Children, which is a voluntary organization working in close cooperation with the Department of Social Welfare Services.

249. Where the family situation is such that it calls for the child to be taken into care and placed with a foster family or in an institution, every effort is made by the Department of Social Welfare Services to appropriately prepare the child for its imminent removal from home and to allow it to participate, depending on its age, in the planning process. In cases where children are placed for adoption, special attention is given so that they are consulted and encouraged to participate in a way appropriate to their age and understanding in all decisions and at all stages of the adoption process.

250. With the enactment of new legislation in 1990, the right of children to be informed and to express views in judicial proceedings which concern them is safeguarded.

251. In line with provisions of relevant legislation (described above), the Department always considers the rights of children over and above the rights of parents. Difficulties are encountered when the issue of reconciliation between the rights of the child and those of the parents comes up in the media once in a while in cases where a child is removed from its home contrary to the wishes of its parents (usually in cases of child abuse). Although the public is usually sensitive to the needs of children and has a tendency to sympathize with the victim (the child), at the same time it lends powerful moral support to the parents as they are seen as being deprived of their rights as parents. There is no doubt that there are occasions where in order to safeguard the rights of one party, the rights of the other are breached, e.g. the law requires that a child be placed for adoption only after the parents have consented to it, except in very special circumstances, regardless of whether they are able to consistently provide proper care and protection to their child and regardless of whether or not they show concern for their child's best interests. Clearly, this deprives the child from the possibility of receiving permanent proper care through adoption.

Developments affecting the rights enshrined in article 10

252. There have been significant developments in national legislation relating to the rights enshrined in article 10. The Relations between Parents and Children Law 216/90 was enacted in 1990. The new Law complies with the Convention on the Rights of the Child which was ratified by the Republic of Cyprus in the same year by the Convention on the Rights of the Child (Ratification) Law 243/90. An innovation introduced by the Relations between Parents and Children Law is that parental care is exercised jointly by both parents for the best interests and well-being of the child. This provision has replaced the authority of the father which prevailed in previous legislation concerning children. Another important provision of this Law is that every decision of parents with respect to parental care and every custody decision of the court in cases of divorce or separation must aim at and consider first and foremost the best interests of the child. No prior legislation has underlined this principle so explicitly and with such resoluteness. The Law also provides the child with the opportunity to express its views and to be heard on matters concerning its welfare. In this respect, the Law clearly states that the child, in accordance with the level of its maturity and the extent to which it is judged to have acquired sufficient understanding, must be asked to express its opinion which in turn is to be taken into consideration, along with other factors, before any final decision concerning the child is taken.

253. The Children (Relationship and Legal Status) Law 187/91, which was enacted in 1991, updates and regulates all matters concerning the relationships and legal status of children, such as filiation, paternity and recognition. With the enactment of this Law, the anachronistic Illegitimate Children Law was abolished.

254. The Public Assistance and Services Law 8/91, which consolidates all previous public assistance laws into one, was enacted in 1991. (The provisions of this Law are described under article 11.) In the same year, the Homes for the Elderly and Disabled Law 222/91 was enacted, which consolidates previous relevant legislation and provides for adequate standards of operation, set by regulations.

255. With a view to improving the quality of day-care services provided to children, regulations setting minimum standards for premises used for child care were revised by Order 217/93 in 1993 and amended by Order 213/94 in 1994.

256. A new law enacted in 1994 is the Violence in the Family (Prevention and Protection of Victims) Law 47(I)/94. This Law does not aim solely at the protection of one spouse from another but also of children, parents and other persons living in the same household. The Law empowers the court to order the removal of a child victim of violence from its home and its placement in a safe place or under the care of the Director of Social Welfare Services. A child is considered a victim of violence even when there is no direct violence against it but it is a witness of repeated acts of violence committed by one member of the family against another. The Law also provides for the establishment of family counsellors to provide guidance and support to victims of violence and recommends that an advisory committee be set up, aiming at the prevention of violence in the family. One of the objectives of the Law is to

express unequivocally the abhorrence of the State and its condemnation of every form of violence exercised by one member of the family against another. This is expressed by drastic increases of the penalties provided for all types of violent activities whenever they are practised within the family. Other objectives of the Law are: to facilitate the reporting and trial of such incidents; to empower the court to issue orders prohibiting the assailant from staying in the family home for the protection of the victim from the repetition of similar violent activities; to empower the court to issue interim restraining orders pending the trial of the case; to protect witnesses.

257. The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption was ratified in 1994 with the enactment of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (Ratification) Law 26(III)/94.

258. Finally, the Adoption Law 19(I)/95 was enacted in 1995 and replaces previous legislation on adoption. The main innovative features of the Law are:

(a) Ecclesiastical adoption ceases to be a necessary requirement for lawful adoption;

(b) Placement of minors for adoption purposes may be made either through the Department of Social Welfare Services or directly by the person arranging the adoption, provided that he/she fulfils certain requirements;

(c) The Department of Social Welfare Services must be informed of all adoption cases at least three months before an application to the court is made;

(d) New provisions are included for:

(i) The protection of the child to be adopted before an application to the court is made, by investigating the suitability of the person with whom the child will be placed for adoption purposes;

(ii) The information of adopted persons about their origins and natural parents.

259. Though Cyprus is not a recipient of technical or financial international assistance for the establishment of social welfare measures of protection, it maintains strong links with specialized agencies of the United Nations, the Council of Europe, the EU and other international organizations active in the area of social welfare. In particular, the Department of Social Welfare Services participates in specialized meetings of international bodies and encourages both bilateral and multilateral cooperation for the exchange of information, experience and expertise on topics directly or indirectly affecting the family, and the identification of mutually agreed principles for concerted action in the area of developmental social welfare, for the support of the family as a unit and its individual members. As a result of international cooperation, the Department is quick to reassess and harmonize

its policy and services to keep abreast of positive global innovations. Consequently, international legal instruments pertaining to the rights enshrined in article 10 have been ratified by Cyprus (as specified in para. 222).

Article 11

260. In Cyprus authorities can supply information only with regard to the population living in the areas under the control of the Republic of Cyprus. Data or other relevant socio-economic information regarding the areas occupied by the Turkish army since 1974 (approximately 37 per cent of the island's territory) is not available as these areas are inaccessible to the authorities of the Republic. It is a well-known fact, however, that the standard of living in the occupied areas is substantially below the level enjoyed by the population living in the areas controlled by the Republic of Cyprus.

261. Some indicators of the standard of living in the Government-controlled areas of Cyprus in the years 1989-1993, are shown below:

	1989	1990	1991	1992	1993
Per capita GNP (£C) [1994: £C 6,000]	4 039	4 481	4 552	5 131	5 269
Persons per doctor	482	476	457	428	433
Persons per hospital bed	166	168	170	176	191
Expenditure for medical services as percent of GNP (%)	4.0	4.0	4.3	4.3	pr. 4.5

	1989	1990	1991	1992	1993
Pupils per teacher:					
primary education	21.8	21.0	19.9	19.5	19.3
secondary education	12.1	12.3	12.5	12.8	13.0
Third-level students per 1,000 population	15.6	25.9	27.0	16.2	23.0
Life expectancy at birth (years)					
men	74.1	74.1	74.1	74.6	74.6
women	78.6	78.6	78.6	79.1	79.1
Infant mortality rate per 1,000 births	11	11	11	10	9

Household possessions	1984/85 %	1990/91 %
Car	64.40	76.11
Refrigerator	95.80	98.98
T.V. (colour)	56.10	86.74
Telephone	33.00	88.00
Video	11.50	66.80

262. Standard of living developments over the period 1950-1993 are shown in appendix E, document 1. It may be seen that there has been a continuous improvement of living conditions.

Income distribution and poverty

263. According to a study on income distribution and poverty, welfare inequalities do exist in Cyprus but these inequalities are similar to those of other countries. Disparities in the distribution of income and expenditure are approximately at the same level as in many developed countries. In this respect Cyprus is fortunate although there is considerable room for improvements. When the findings of this study are compared to those of a similar study for the year 1984/85, no major changes are observed in the distribution of gross income. Inequalities remained approximately the same with some worsening in the distribution of gross income in urban areas (appendix E, document 2).

264. According to the Household Income and Expenditure Survey conducted by the Statistics and Research Department of the Ministry of Finance for 1990/91, the 40 per cent poorer households (the first four deciles in income distribution) were earning 16.22 per cent of the total gross annual income in Cyprus (appendix E, document 3). In the same survey, a Gini coefficient of 0.325 was reported after deduction of income tax and social insurance contributions. The corresponding Gini coefficient for 1984/85 was 0.355.

265. The minimum income requirements for the first person in each Cypriot household, as defined by the Statistics and Research Department of the Ministry of Finance, was estimated at about £C 121 per month in 1991. Thus, the absolute poverty line for Cyprus in 1991 was £C 1,451 per year. This amount was necessary at that time in order to fulfil the basic needs of life such as food, clothing, rent and social needs.

266. The relative poverty line is usually taken to be equal to 50 per cent of the average national per capita income of all households. In 1991, the relative poverty line for Cyprus was £C 1,542. Thus, the incidence of relative poverty for all Cyprus was standing at 4.39 per cent.

267. The highest incidence of poverty was found among households of smaller sizes. About 16.5 per cent of households with only one person were in poverty in 1991 while 10 per cent of the households with two persons were also poor. This is attributed to the fact that a great number of these households are headed by relatively old and retired persons. Poverty among households with more than two members is virtually non-existent with rates ranking from

0-2 per cent. The sex of the head of the household plays an important role in the risks of being in poverty. For example, 21 per cent of single-member households headed by a woman are in poverty while only 6.6 per cent of these households are in poverty when headed by a male. Finally, the incidence of poverty in rural areas is significantly higher than in urban areas with rates of 7.29 per cent and 2.94 per cent respectively.

268. The institution of social pension, which was introduced in 1995 for the benefit of persons above the age of 68 who are not entitled to a pension or other payment from any source, is expected to improve the standard of living of elderly persons. The Public Assistance and Services Law 8/91, first enacted in 1975 and followed by several amendments, ensures a socially acceptable minimum standard of living for all persons legally residing in Cyprus. Any person whose income and other economic resources are insufficient to cover his/her basic and special needs, as determined by the Law, may apply for public assistance. This may be provided in the form of monetary support or in the form of services.

269. National minima for basic needs are reviewed yearly, through legal regulations to comply with prevailing conditions and the level of the cost of living. As of 1 January 1995, the monthly allowance for the most basic needs (i.e. food, essential clothing, hygiene items, electricity) is:

recipient	£C 92
for every additional dependant	£C 40

(The yearly amount is 13 times the monthly rate.)

270. Provisions for special needs, determined by the Law, include:

(a) Disability allowance equal to 50 per cent of the basic needs allowance;

(b) Special diet allowance for certain illnesses such as hypertension, anaemia, cardiac problems, etc. (£C 10 per month for one illness and £C 15 monthly for a combination of illnesses);

(c) Rent allowance for non-displaced persons equal to 50 per cent of the basic needs allowance. (Rent allowance for displaced persons is provided by the Ministry of Justice from the Rent Subsidization Fund for Displaced Persons and Those who Suffered from the Emergency Situation, when Government housing accommodation is not available for them);

(d) Coverage of mortgage interest equal to 50 per cent of the basic needs allowance as well as municipality and other similar rates for recipients of public assistance who own their homes;

(e) Grant for home repairs when the home is the property of the recipient of public assistance (up to £C 500);

(f) Grant for occupational training or the purchase of tools and equipment (up to £C 500) with a view to making the recipient of public assistance independent or reducing his/her dependency on public funds;

(g) Extra heating allowance (up to £C 60 a year);

(h) Pocket money for personal, social, leisure and religious needs (£C 6-£C 12 per month for the recipient of public assistance and £C 6 for each dependant).

271. The Director of Welfare Services may also provide or pay for accommodation, care and home-help services for persons who are unable to cope alone because of old age, infirmity or other difficulties.

272. With a view to encouraging disabled persons to fully utilize their potential, public assistance may be granted to them, in accordance with special criteria, even if they are fully employed. Similarly, in order to help families balance work and family responsibilities, public assistance may be granted in special cases even if the persons concerned are employed. Such cases are single-parent families, parents who have at least four children under the age of 18 years living with them, and any person who, because of extremely difficult family circumstances, needs financial assistance in order to prevent the dissolution of his/her family.

Physical Quality of Life Index

273. Cyprus maintains a very high standard of health for its population as reflected in life expectancy at birth and other relevant indices like the doctor-to-population ratio and the infant mortality rate.

	1988	1992
Persons per doctor	516	428
Persons per hospital bed	165	176
Crude birth rate (000)	19.2	20
Crude death rate (000)	8.8	8.9
Infant mortality rate (000)	11	10
Expectation of life at birth	73.9	74.1

Table 1. Gini coefficients of household and per capita income and expenditure by urban and rural areas, 1991

Income/expenditure	All Cyprus	Urban	Rural
Gross income			
Household	0.371	0.361	0.373
Per capita	0.334	0.332	0.304
Total expenditure			
Household	0.341	0.331	0.348
Per capita	0.320	0.332	0.285

Source: Computed from the Household Income and Expenditure Survey of 1990/91.

The right to adequate food

274. The right to adequate food has been realized effectively in Cyprus. This is due to the development of Cyprus' agriculture which was set as the primary goal of the Government from the British Rule in 1960. However, the Turkish invasion in 1974 which resulted in the occupation of 37 per cent of the country and in the loss of nearly 70 per cent of the agricultural resources, was an unprecedented blow to agriculture.

275. The development of agriculture was based on the rational utilization of scarce resources, which in the case of Cyprus were land, water, capital and labour. Cyprus agriculture is characterized by two main features, namely irrigated agriculture, which includes mainly citrus fruits, potatoes, other vegetables and melons, deciduous fruit, table grapes and bananas; and rain-fed or dryland agriculture which includes mainly cereals, fodders, olives, carobs, almonds and wine grapes.

276. Cyprus agriculture can be divided into two major subsectors, namely crop production and livestock production, which in 1993 contributed 68.3 per cent and 20.9 per cent respectively to the value added of the broad agricultural sector. The contribution of the other subsectors was as follows: ancillary production (milk and grape products processed on-farm) about 4.2 per cent, fishing 4.8 per cent, forestry 1.2 per cent and others 0.6 per cent.

277. Thanks to the diversity of topography and climate, a wide range of microclimatic conditions exist, permitting diversified crop production. In the central plain the main crops are wheat and barley grown under winter rainfall. Potatoes, vegetables, legumes and fodders are widely distributed all over the island, while citrus orchards are generally concentrated along coastal areas. At higher elevations of the Troodos mountains deciduous fruits, nuts, vines and a range of vegetables are grown. Viticulture is very important in the hilly areas of Paphos and Limassol districts, and the grapes are mainly used for wine-making, while table grapes are grown in the south-west areas near the coast. In Paphos, the large areas with bananas give

a subtropical flavour to the countryside. Cyprus is self-sufficient in citrus, most other fruit, grapes, potatoes and vegetables. Moreover, significant quantities of citrus, potatoes and grapes are exported. At the same time, significant quantities of cereals, mainly wheat and barley, are imported. Milk products are also imported in significant quantities.

278. Livestock production constitutes an important component of Cyprus agriculture. Cattle, sheep and goats, swine and poultry constitute the main subsectors of the livestock industry, while the production of rabbits is expanding. Fresh milk, pork, poultry meat and eggs satisfy fully the local demand and no imports of those items are realized. However, local production of beef, veal, mutton, lamb and milk products are supplemented by imports.

279. Hunger and malnutrition do not exist in Cyprus. The Public Assistance and Services Law guarantees the right of all persons legally residing in Cyprus to receive assistance to cover the basic and special personal needs, which include adequate food.

280. Systematic measures are undertaken by the Ministry of Agriculture, Natural Resources and Environment for the further development of Cyprus agriculture. These measures are concentrated mainly on the improvement of productivity through the introduction of new and improved varieties of crops, improved cultural practices, expansion of irrigation and modern irrigation methods and means, mechanization of farming activities (cultivation, harvesting, etc.), plant protection and soil conservation in mountain and hilly areas.

281. In the field of livestock production, the efforts of the Ministry of Agriculture, Natural Resources and Environment are mainly concentrated on the improvement of animal productivity through improved breeding and management practices, upgrading veterinary services for animal disease control and cure, local production of feed, better nutrition of animals, and modernization of farms through mechanization and upgrading the managerial capability of farmers.

282. An imbalanced dietary intake of the Cyprus population is to be observed. This is partly due to the rapid economic development in Cyprus and the rising annual per capita income of the population and partly due to the lack of education of the population in health and nutritional issues. The high animal protein, saturated fat and cholesterol intake and low vegetable and fruit intake are related to high cholesterol levels and probably to high oxidized low-density lipoprotein levels. The high energy intake above the recommended levels results in high obesity rates combined with inactivity for about 80 per cent of the population. (See appendix E, documents 4 and 5.)

283. Regarding health education, much for non-communicable disease prevention is initiated and carried out by the Ministry of Health. The Ministry has an annual budget of US$ 60,000 for health education on nutrition. This is used mainly for producing TV spots, leaflets, etc. in order to disseminate knowledge on proper nutrition. A number of NGOs are involved in this work too, and they carry out health education of their own. These concern the Consumer's Association, the Anticancer Society, the Association of Dieticians, etc.

The right to adequate housing

284. The housing situation in Cyprus has improved considerably during the last decade. According to the 1992 Census of Housing, the housing stock was 233,210 units and the total number of households was 185,459 with an average size of 3.23 persons per household (i.e. 1.26 housing units per household or 390 housing units per 1,000 persons). Of the total living quarters the overwhelming majority, 231,930, were conventional dwellings and 79.2 per cent of those dwellings were occupied whilst the remaining 20.8 per cent were vacant.

285. Several types of buildings for conventional dwellings exist such as single houses, semi-detached or doublex houses, row houses, back yard houses and block apartments. The prevalent type of building for conventional dwellings is the single house. Single houses are 100,408 or 43.3 per cent, semi-detached or doublex houses are 35,510 or 15.3 per cent, block apartments are 39,290 or 16.9 per cent and 27,186 or 11.7 per cent are dwellings located in row houses. Dwellings in partly residential buildings are 19,504 or 8.4 per cent and backyard houses are 9,529 or 4.1 per cent.

286. The average size of occupied conventional dwellings is 5.11 rooms per unit, while the average number of persons per room is 0.64. On the basis of these two indicators, it is evident that during the last few decades, the housing conditions of the population have improved considerably.

287. The phenomenon of homelessness, which is known to exist in most countries of the world, both developed and developing, may be said to be completely unknown in Cyprus. According to the 1992 Census of Housing, which covered widely the living conditions of the population, not a single family or person was without a permanent roof, i.e. living in the open and moving from place to place.

288. Apart from the housing schemes administered by government departments, the Public Assistance and Service Law provides for payment of special allowances and grants for rent, mortgage interest, municipality and other similar rates, home repairs and extra heating. This Law also empowers the Director of Social Welfare Services to provide or pay for accommodation, care and home-help services for persons who are unable to take care of themselves due to old age, infirmity or other difficulties.

289. Almost all the housing units offer the basic amenities such as water, electricity, bath or shower, heating, etc. Amenities and facilities in occupied housing units are given below:

(a) Ninety per cent have hot and cold water supply inside the house, 5.3 per cent have only cold water supply inside the house, 3.7 per cent have water supply outside the house (in the yard) and only 0.8 per cent have no facilities for the provision of water;

(b) Toilets of the flush type within the house are available in 91 per cent of the housing units, 6.5 per cent have this type of toilet outside the house and only 2.3 per cent of the housing units have a non-flush type of toilet;

(c) A fixed bath or shower within the house is available in 90.5 per cent of the housing units;

(d) A kitchen in a separate room is available in 92 per cent of the housing units, a kitchenette is available in 4.4 per cent, a kitchen outside the house is available in 2.2 per cent of the housing units and only 1.1 per cent of the units have no kitchen facilities;

(e) The majority of the housing units, 67.7 per cent use stoves with gas or kerosene, whilst central heating is used by 12.2 per cent of the housing units, storage heaters are used by 2.2 per cent and fireplaces by 8.8 per cent;

(f) Central air-conditioning is available in 1.5 per cent of the housing units whilst 9 per cent have air conditioning of the room-unit type.

290. With regard to tenure, households in owner-occupied dwellings are 118,381 or 63.8 per cent and 23,980 or 12.9 per cent are rented. Rent-free accommodation is held by 12,439 households or 6.7 per cent and 24,311 or 13.1 per cent are in refugee housing estates and other refugee housing schemes. The remaining 5,812 or 3.1 per cent are reported as holding accommodation by some other special arrangement (Turkish-Cypriot houses, institutions, etc.).

291. One can say that the housing situation in Cyprus is now fairly satisfactory. It appears that the number of housing units is considerably above the number required for the accommodation of the total population and living conditions of the population are of a fairly high standard.

292. Housing programmes and policies. Despite the fact that the phenomenon of homelessness does not exist in Cyprus, in 1974, as a result of the Turkish invasion of Cyprus and the continuous occupation ever since of about 37 per cent of the island's territory, 45,000 families were evicted from their homes and became all of a sudden homeless. In confronting this situation, the Government of Cyprus has during the last 20 years put every effort and gave priority to the accommodation of the displaced families, under acceptable housing conditions. In order to promote the objective of improving housing conditions for displaced persons, the Government implemented the following programmes/policies:

(a) Low-cost housing programme, mainly in urban areas, which provides for the construction of houses in comprehensively designed housing estates, suitable for the temporary accommodation of the displaced families and for future use as housing estates for low income families. Under this programme, between 1975-1994 about 14,000 housing units have been completed by the Government;

(b) Self-help housing programme on government land, mainly in suburban and rural areas, provides serviced building plots in approved areas as well as a grant-in-aid to displaced families for the purchase of building materials for the construction of their own house, according to the architectural plans provided by the Government. Under this programme, 12,000 units were completed during 1975-1994;

(c) Self-help housing programme on private land, mainly in urban areas, for the displaced families who own a building plot and want to build their own house by themselves. The Government provides a grant-in-aid for the purchase of building materials only. Under this programme, between 1975-1994 about 19,500 houses were completed by displaced families;

(d) Purchase of a house or apartment programme, mainly in urban areas, which provides for grants-in-aid and loans to displaced families who wish to buy a house or an apartment from the private sector, provided they meet established criteria;

(e) Repair and rehabilitation of old or abandoned Turkish houses programme, in urban and rural areas. Under this scheme, the Government undertakes the repair and maintenance of existing old Turkish Cypriot houses and after they have been improved to acceptable standards in terms of structural fitness and amenities, are handed over to refugee families for temporary accommodation until the return of their legal owners. Between the years 1975-1994, about 5,500 houses were provided to an equal number of displaced families through this programme;

(f) Rebuilding and rehabilitation programme, in central cores of the towns. Under this programme the Government undertakes to renovate and rehabilitate small areas in central parts of towns which are in a very bad state, by the restoration of worthwhile existing buildings and inserting into the empty sites new houses which would be in harmony with the existing structure and character of the old town. Through this programme the area is rehabilitated and revitalized and people in urgent need of housing are accommodated under proper housing conditions.

293. Great efforts have been made during the last 20 years towards the accommodation of displaced families under proper housing conditions and about 58,000 such families have been provided with shelter or assisted to acquire a new house, at a total cost of approximately £C 254 million or US$ 560 million. (By Cyprus standards this is, no doubt, a remarkable achievement.)

294. To finance the various schemes for the relief of the displaced, the Cyprus Government has set up the Special Relief Fund, which draws revenue from special taxation and from foreign contributions (15 per cent through the United Nations). Housing expenditure represents about 70 per cent of the total amount spent for the displaced through the Special Relief Fund.

295. Housing for the non-displaced population is provided by the private sector which offers at reasonable prices houses and flats to moderate and high income families. The Government has also established the Cyprus Land Development Corporation and the Housing Finance Corporation in order to help families with moderate and low incomes to purchase a house. The primary objectives of these corporations are to build houses in comprehensively designed housing estates, to provide serviced building plots at reasonably low prices and to grant long-term housing loans to first-time house purchasers on reasonable terms.

296. The Government of the Republic of Cyprus launched another housing scheme recently covering rural communities which are mainly in the mountain areas. This scheme provides low interest loans for the erection/completion or purchase of houses and also provides loans for the improvement/extensions of residences.

297. Government efforts to improve the housing conditions of families with very low incomes continue and a new housing policy is under study for the years 1996-2000. The main provisions of this policy which will apply to the whole low income population are:

(a) Rent subsidies;

(b) Long-term low interest housing loans; and

(c) Housing grants or loans for the improvement of the housing stock.

298. A main policy objective of the Cyprus Government is that every family should have the opportunity to live in decent housing conditions and the efforts will continue in future in order to improve further the quality of life of the population in general and of those in greater need in particular.

299. Difficulties and shortcomings encountered in the fulfilment of the rights enshrined in article 11 stem from the fact that the right to an adequate standard of living can only be fully exercised by the departure of the occupation troops from Cyprus and the restoration of the right of displaced persons to return to their own homes and the right of the whole population to travel and live in freedom and harmony anywhere within the country.

300. The role of international assistance was particularly significant in the realization of the rights enshrined in article 11 immediately after the Turkish invasion of Cyprus in 1974 and the resultant displacement of about one third of the population. People displaced from their homes lived initially in tents in refugee camps and were eventually accommodated in housing settlements constructed with monetary assistance from the United Nations High Commissioner for Refugees. Food assistance was provided by the World Food Programme.

Article 12

301. Mental health care is provided by the government services and the private sector. The Mental Health Policy of the government services, is concentrated, inter alia, on the following aspects:

(a) To shift therapeutic services from the mental hospitals into the general hospitals and the community;

(b) To provide comprehensive community-based mental health services in all districts;

(c) To improve the standard of living for the inmates of the mental hospital.

302. The results of the implementation of the governmental policy are tangible. That is to be evidenced by the following facts:

(a) Admissions to the mental hospital have been reduced;

(b) Where a patient needs treatment in a mental health facility, efforts are made to avoid compulsory admission to the mental hospital and he is admitted in one of the two psychiatric clinics in the general hospitals, (one in Nicosia and the other in Limassol), the nearest to the patient's home;

(c) The in-patient population of the mental hospital is also steadily decreasing.

(See document at appendix F, showing the reduction of admissions and the reduction of the inmate population of the Athalassa Hospital).

303. At present the government services provide mental health care in all towns of the free part of the island. This care is provided through the mental health facilities which have been established locally and they are expanding and improving their role gradually and steadily according to the needs of the local population. Such facilities are:

(a) Psychiatric clinics in the general hospitals: Nicosia General Hospital, established 1963; Limassol General Hospital, established 1980;

(b) Out-patient departments: Nicosia General Hospital, established 1950; Limassol Out-patient Department, established 1974; Larnaca Out-patient Department, established 1974; Paphos Out-patient Department, established 1977; Paralimni Out-patient Department, established 1985; Kaimakli Out-patient Department, established 1992; Strovolos Out-patient Department, established 1992;

(c) Community psychiatric nursing (C.P.N.), established 1977. Number of C.P.N. in post:

Nicosia:	1980	2
	1994	15
Limassol:	1986	1
	1994	5
Larnaca:	1988	1
	1994	3
Paphos:	1991	2
	1994	4

(d) Therapeutic Unit for Alcohol and Drug Dependence established 1991;

(e) Child and Adolescent Psychiatric Department, Hospital Archbishop Makarios III, Nicosia, established 1990;

(f) Day Centre Psychiatric Department in Nicosia, established 1987;

(g) Day Centre Psychiatric Department in Limassol, established 1988;

(h) Athalassa Hospital, established 1964.

304. There are no groups in Cyprus whose health situation is significantly worse than that of the majority of the population.

The health care system in Cyprus

305. The present health care system in Cyprus provides health care for the total population at all the levels of primary, secondary and tertiary health care. In case of highly specialized medicine which is not provided in Cyprus because of the small size of the population, the Government of Cyprus, irrespective of the income of patients, sponsors them to get treatment in medical centres outside the country.

306. The total health expenditure is modest (5.5 per cent of GDP) and health indicators are comparable with those of the OECD countries. A range of factors contribute to this, including socio-economic and climatic factors.

307. The present health system is a mixed system consisting of government hospitals and other primary health-care facilities and the private health care providers, where financing is based on the individual relation of the doctor/patient and the ability of the patient to pay. Free medical care is provided by the public sector to 67 per cent of the population comprising civil servants, most refugees and the low-income categories, while other categories of moderate income (20 per cent) receive care at reduced rates. Moreover, medical care may also be obtained for a fee by all persons residing in Cyprus, including aliens. Finally, some trade unions run their own health funds and provide health care coverage, mostly at primary and some secondary coverage, for their members.

308. Since the independence of Cyprus in 1960 the organization and management of the health system remains as it was during the British presence in Cyprus. In 1990 the Government of Cyprus invited a team of consultants to study the health care system and prepare proposals for the introduction of a National Health Insurance Scheme in Cyprus. In their first report the consultants described the present health care system and identified the inefficiencies that the present system is facing. The major conclusions of their analysis of the system are as follows:

(a) Demand for health care is increasing and new service demands will be created as the population ages and income increases, while rapidly developing new technology is being introduced;

(b) The supply side of the health care system is not well structured to meet the anticipated growth in demand;

(c) The system is fragmented, with little continuity of care and poor communication between private and public sectors;

(d) Few resources are allocated to disease prevention and there is no system of primary care;

(e) There is a degree of inequality in access and funding of health care;

(f) There is substantial inefficiency, including much duplication of services and underutilization of facilities, in both public and private sectors.

309. In 1992 the Government of Cyprus, with the assistance of consultants, prepare the "Proposals for the introduction of a National Health Insurance Scheme (NHIS) in Cyprus" and since then the health care system is under a reorganization process. The following projects are ongoing:

(a) Reorganization of the management and organization of the Ministry of Health;

(b) Reorganization of the management and organization of the government hospitals;

(c) Training of general doctors in the speciality of general medicine;

(d) Legislation of the NHIS;

(e) Legislation of private clinics and hospitals.

310. A draft bill, entitled "National Health System", has already been prepared and is expected to be laid before the House of Representatives early in 1996. This bill has taken into consideration the inefficiencies of the existing system and has adopted most of the consultants' proposals referred to above.

311. Cyprus has adopted all the principles laid down at Almaty with regard to primary health care and is promoting, through implementation of the various strategies involved, the realization of this goal. A broad network of primary health care centres which covers the whole country was created while additional emphasis was placed on school health services, maternal and child health, the expanded programme of immunization and sanitary inspection of restaurants, school canteens, food industries, etc. The Centre for the Control of Communicable Diseases was created in 1985 and is mainly involved in the fight against hepatitis B and AIDS. More emphasis was given to the health eduction of the population, especially in schools, and to preventive policies such as screening programmes (Papanicolaou Test Mammography), anti-smoking campaigns, healthy nutrition.

312. In 1993 4.5 per cent of GNP was spent on health. The share of expenditure on health as a percentage of GNP increased from 2.7 per cent in 1980 and 4.1 per cent in 1988 to 4.5 per cent in 1993; 6.1 per cent of the national budget was spent on health in 1994 and 6.7 per cent will be spent in 1995.

Indicators for 1993

313. The infant mortality rate for 1993 was 9 per 1,000 live births (which is very satisfactory by international standards).

314. One hundred per cent of the population have access to safe water while 98 per cent of housing units have flush toilets within or outside the house (urban 99 per cent and rural areas 95 per cent); the remaining 2 per cent have latrine-type toilets.

315. Infants are immunized against diphtheria, pertussis, tetanus, measles and poliomyelitis. The result of a survey carried out in June 1994 showed that 96.5 per cent of infants had received the third dose of DPT and OPV (diphtheria, pertussis, tetanus and poliomyelitis); 83 per cent of infants were immunized against measles. Tuberculosis is not a health problem any more. Therefore, tuberculosis vaccine is not included in the national immunization schedule.

316. The life expectancy at birth was 74.6 years for males and 79.1 for females.

317. The proportion of the population having access to trained personnel for the treatment of common diseases and injuries with regular supply of 20 essential drugs, within one hour's walk or travel, is 100 per cent.

318. The survey of June 1994 for immunization coverage showed that 99.5 per cent of pregnant women had antenatal care offered by trained personnel. All deliveries take place in private or public clinics and are carried out by obstetricians or midwives under the supervision of obstetricians. In addition a high standard of hygiene ensures the prevention of complications before, during and after delivery. Maternal mortality is estimated at less than 0.1 per 1,000 births.

319. The proportion of infants having access to trained personnel for care is 100 per cent.

320. There are no nomadic societies in the country or under-served groups whose health situation is significantly worse than that of the majority of the population.

Vulnerable groups, environmental pollution and occupational health and safety

321. The rapid industrialization of Cyprus has created a series of problems related to the working environment with a high incidence of injury or disease. This has become more obvious in small-scale industries which prevail in the Cyprus market. The economic pattern is changing in Cyprus with a major shift from industrial and agricultural enterprises to services, which entail fewer risks of accidents but where workers are burdened by economic and psychological problems. The latter are becoming increasingly important, although they largely arise from imprecise definition of new work tasks and chains of command, frustrated competitiveness, conflicting demands of work and of family responsibilities and job insecurity. Furthermore, vulnerable groups of workers such as pregnant women, workers who are chronically ill or disabled, the elderly and migrant workers, may need special protection measures to ensure their health at work.

322. Occupational health services have not been established yet in Cyprus. However, the Department of Medical and Public Health Services of the Ministry of Health and the Factory Inspectorate of the Ministry of Labour and Social Insurance provide occupational health and safety services to the workers. The objectives of the Government of Cyprus with regard to this field are:

(a) Reducing the frequency and severity of occupational diseases and accidents;

(b) Establishing and developing high quality, cost-effective occupational health services as an integrated and basic element of a comprehensive health strategy for the working population;

(c) Ensuring access to a comprehensive occupational health service which reflects the risk to which workers are exposed, giving the most immediate attention to those workers who are at greater risk of work-related disease and injury;

(d) Introducing measures which may include safer procedures and in some cases replacing or strictly controlling chemicals known to be dangerous, especially those having carcinogenic, teratogenic or mutagenic effects.

323. Activities in this field are aimed at developing, within national health for all strategies, national occupational health and safety services programmes to meet specific national priorities and targets, and encouraging small and medium-sized enterprises and the self-employed to invest in occupational health and safety services with new emphasis on the psychosocial aspects of occupational health. Occupational health services will cover all places of work including home workers. Employees and the general public will be involved and receive guidance on ways to improve working conditions and prevent occupational risks, including reference to the association between such risks and personal behaviour. The Department of Medical and Public Health Services of the Ministry of Health will be strengthened with doctors specialized in occupational medicine and nurses specialized in occupational health nursing. Furthermore, the occupational health physicians will be supported by:

(a) Providing them access to hospital and out-patient departments;

(b) Procuring the necessary equipment to carry out medical examinations for occupational and environmental health-related diseases;

(c) Assisting them to conduct surveys and studies to determine health risks from environmental pollution and hazards;

(d) Supporting the infrastructure of the Occupational and Environmental Health Division of the Department of Medical and Public Health Services of the Ministry of Health;

(e) Establishing collaboration with WHO and foreign centres and institutes which are specialized in occupational and environmental health.

324. Facilities for the mother and child are offered by the public sector in all health centres and in all rural and district hospitals as well as by the private sector (paediatricians and obstetricians) in the context of the maternal and child health programme. This programme provides, besides the care for babies and preschool children, routine checks for pregnant women and information services for the health of tne mother and child. Access to the above facilities is 100 per cent.

325. The reduction in infant and childhood mortality and morbidity is due to the combination of a number of factors such as high levels of hygiene, proper care for the mother and child, universal immunization, elimination of malnutrition, the promotion of breast-feeding and availability of basic health care for everybody. Furthermore, advanced technology and subspecialities in paediatrics and gynaecology provide high-level services mainly by the referral hospital (Makarios Hospital in Nicosia) for prevention, diagnosis and cure.

326. More specifically, a neonatal intensive care unit for premature and low birth weight infants has been operating since 1984. An intensive care unit for infants and children is planned to open during 1995. Subspecialities in paediatrics such as paediatric, cardiology, oncology, endocrinology, neurology and paediatric surgery are provided by the above hospital.

327. The Gynaecological Department offers prenatal diagnosis services in two main areas:

(a) Ultrasound for the early diagnosis of abnormalities of the foetus as well as abnormal conditions of pregnancy;

(b) Interventional activities carried out at various early stages of pregnancy (chorion villi sampling, amniocentesis, chordocentesis) aiming at prenatal diagnosis of thalassaemia, congenital diseases, chromosomal abnormalities, infectious diseases, haemolytic diseases, etc., and at prenatal treatment of haemolytic disease by blood transfusion to the foetus, intrauterine drainage of obstructive uropathy, etc.

328. Also, government health institutions closely cooperate with the Centre for the Prevention of Mental Retardation in the application of the nationwide programme of prenatal control In this programme are included the triple test to all pregnant women for Down's Syndrome and abnormalities of the spinal canal and the cytogenetic examination of pregnant women belonging to the high risk groups. Activities of the Centre are subsidized by the Government.

329. The high standard of living and high levels of hygiene as well as the introduction of the expanded programme of immunization (EPI) are the main tools against infectious diseases in Cyprus. The high levels of immunization coverage resulted in the elimination of neonatal tetanus and diphtheria and limitation to very low numbers of the cases of pertussis and measles. Tuberculosis is a limited health problem and therefore immunization is not included in EPI. Poliomyelitis is almost eradicated. Immunization against hepatitis B was added in the above programme although the problem of hepatitis B is relatively limited in Cyprus. The HIV infection is becoming gradually more important. Cases which were originally mainly imported now

have their origin within the country to a large extent. The control and prevention of HIV/AIDS is implemented according to the national AIDS programme which is based on WHO directives and principles.

330. Echinococcal disease, which was effectively controlled in recent decades, is now showing a slight resurgence and control measures are being taken.

331. Malaria was eradicated in the 1950s but there is an ongoing control programme to prevent the introduction of mosquitoes. These measures are intensified along the Green Line which separates the free from the occupied area in collaboration with the United Nations.

332. Food-borne diseases are very limited given the high standard of living and hygiene in the country as well as control measures implemented by the health inspectors of the Ministry of Health.

333. Murine typhus occurs in low numbers of cases, mainly around farming areas. Control measures are being taken, mainly health education for the public and eradication of mice.

334. No cases of cholera have been recorded during this century despite the presence of occasional epidemics in neighbouring countries.

335. The main public health problems in Cyprus are not infectious diseases but non-communicable diseases (cardiovascular diseases, diabetes melitus, cancer) which have shown increasing trends in recent decades. This is attributed to the improvement of the standard of living which has led to the modification of the traditional Mediterranean diet, sedentary lifestyle, degradation of the environment, stress. Smoking also constitutes a very serious public health problem. The Ministry of Health is formulating various strategies for the control and prevention of these diseases.

336. In the event of sickness every person can seek medical care in the public or private sector. In cases of emergency (acute severe illness or accident) people including visitors can apply to the Accident and Emergency Department of the district and rural hospitals.

337. Availability of health care is safeguarded against rising costs of health care by offering medical services free of charge to elderly people with low income. Access to medical care is also ensured through the broad network of primary health care centres.

338. The measures taken by the public sector to maximize community participation include the promotion of the collaboration concerning health matters between Government and the communities. This enables people to identify needs in health care and the means to promote solutions. The Government also encourages the development of non-governmental organizations through contributions. Examples of such NGOs are the Family Planning Organization, the Anti-cancer Society, the Anti-smoking Society, the Diabetic Society, etc. These organizations are encouraged to participate in the planning, organization and running of primary health care projects and for any initiative taken by them in this field financial and professional support is

provided by the Government. Community psychiatric nurses collaborate with non-governmental organizations, local authorities and community leaders at all levels.

339. Concerning health education, specific programmes are carried out in the main areas of interest such as HIV infection, hepatitis B, cardiovascular diseases, cancer, anti-smoking campaigns, nutrition, healthy food handling and accidents. These programmes are systematically provided to schools, food handlers and the National Guard.

340. Measures for preventing and controlling health problems include mainly EPI, the successful thalassaemia programme which is of a permanent character, the antenatal screening programme, the triple test, as well as the screening of newborns for phenylketonuria and hypothyroidism, the screening programme for breast cancer and cervical cancer. Moreover, the first week in November, every year since 1982 has been established as the "Week for Mental Health" During this week, through different manifestations such as lectures, seminars and the mass media, education is provided on the prevention and control of mental illness. Technical and monetary assistance is offered at times by international organizations such as WHO, UNDP, UNHCR, the World Bank and the International Monetary Fund (IMF). This assistance is used for scholarships abroad, local training of staff, consultancies and monitoring development.

Article 13

341. Primary education in Cyprus is free and compulsory. It lasts six years and covers almost 100 per cent of the children in the age-range 5½ to 11½ years. No person has ever been denied the right to education and training on grounds of race, colour, religion or ethnic group origin.

342. Children of lower income families and children in rural areas are treated in the same way as all other children. Primary schools are established and functioning in all towns and villages, even the most remote ones. In a very few villages where the pupil population does not permit the functioning of primary schools, adequate transportation is provided by the State so as to facilitate pupils attending nearby schools.

343. The Special Education Law, No. 47 of 1979 caters for the education of children aged 5-18 years, who are physically, mentally or emotionally disabled.

344. Not many children of immigrants are to be found in Cyprus, hence no real problem related to their education exists. Children belonging to linguistic, racial, religious or other minorities such as Armenians, Maronites, British, etc, are assisted by the Government in many ways to attend private schools of their choice. Thus these children have the right to be educated according to their potentialities and their parents' wishes.

345. The Primary Education Department introduces various innovations and gives emphasis to a number of areas aiming at the improvement both of the quantity and quality of the education offered to children. Some of these innovations are the following:

(a) New school buildings have been erected and equipped while others have been expanded and improved due to the continuing effects of the Turkish invasion of 1974 and the internal movements and redistribution in the population, especially between urban and rural areas;

(b) The number and diversity of in-service training courses offered to teachers have been increased;

(c) The Curriculum Development Service has been better organized in order to produce books for teachers and pupils as well as other educational material;

(d) New curricula have been described and developed on the basis of suggestions made by teachers, inspectors and school boards;

(e) There has been an increasing awareness of the need to update subject matter and use the appropriate methodology so as to help pupils acquire the basic skills, values and attitudes;

(f) An integrated nine-year educational programme has been introduced in schools.

346. Secondary schools have been established and are operating in both towns and rural areas. The necessary school buildings have been erected and equipped so that the schools can function adequately. During the period under consideration and since the submission of the initial report in February 1983, the number of school buildings has been considerably increased and therefore no schools are currently operating on an afternoon shift basis.

347. Secondary eduction is pursued mainly at public schools but there are also a few private ones. Entrance is open to all primary school-leavers without any examinations and as from 1985/86 attendance for the first cycle (up to grade III) was made compulsory. Free education was introduced in 1972/73 for grade I and by 1985/86 was extended to all grades.

348. Some of the measures aimed at making technical and vocational secondary education generally available and accessible to everyone are the following:

(a) Introduction of the new subject named "Design and Technology" which aims to help all the pupils of the first cycle of secondary education (gymnasium) to form a better and more integral idea about the role of technology in the modern world. This subject will gradually replace the subject "Practical Arts" which is offered to boys only;

(b) Establishment of new secondary technical/vocational schools;

(c) Introduction of technical/vocational courses in rural areas, where the need exists, is under consideration;

(d) Intention to extend the duration of two vocational courses from two years to three;

(e) Increase in the number of the courses that are offered, especially with the introduction of new ones based on modern technology;

(f) Supply of new and renovation of existing equipment.

Right to higher education

349. General and specific measures taken to make higher education equally accessible to all, on the basis of capacity. The establishment of the University of Cyprus in September 1992, has greatly facilitated access to higher education. During the first phase of its operation the university will offer courses leading to the award of university qualifications to 2,000 students. When the University of Cyprus reaches its full operational level, it is going to cover the needs of 4,000 students in all. Also, four public higher education institutions, which offer 2 to 3 year courses leading to the award of sub-degree-level qualifications are currently operating in Cyprus. These institutions are the Forestry College, the Higher Technical Institute, the Higher Hotel Institute and the School for Nursing.

350. Graduates of public and private secondary schools are entitled to compete for places in the schools mentioned above, with the exception of graduates of some vocational technical courses; graduates of private secondary schools are also entitled to attend these schools of higher education.

351. Also, a number of private tertiary education institutions are operating in Cyprus. According to the provisions of the Schools of Higher Education Law 1987 (Law No. 1/87) which provides for the establishment, control and operation of these institutions, they have to register with the Ministry of Education. The only requirement for entrance to these institutions is the secondary school leaving certificate. At present, 4,800 students are studying in these institutions.

352. About 9,000 Cypriots are studying at universities abroad. The foreign universities which are more easily accessible to Cypriot secondary school graduates are the universities of Greece (39 per cent), United Kingdom (26 per cent), United States of America (20 per cent), Germany (4 per cent).

353. Entrance to the University of Cyprus, the public higher education institutions and the universities of Greece is possible after a competitive examination. Extra tuition is offered through the State institutions of further education to those interested in sitting the above examinations.

354. The counselling services, which exist in all public schools, help children through difficult phases of pupil life, and with emotional and educational problems that may otherwise force pupils to drop out of school. Counselling services also provide information through printed material, lectures, visits and interviews about available courses of study in higher education and examinations for Cypriot, Greek and other universities or centres of higher education.

355. Recent statistics show that some 58 per cent of all secondary school leavers proceed to third-level education. Of these about 34 per cent attend higher education institutions in Cyprus and the remaining 24 per cent attend

higher education institutions abroad. The level of this ratio is indicative of the satisfactory degree of accessibility of higher education to all, on the basis of capacity.

356. Practical steps taken to provide financial and other assistance to students in higher education. The fees for studies at the University of Cyprus (£C 1,000 per semester for Cypriots and £C 2,000 for non-Cypriots) are paid by the Republic of Cyprus, provided that the students successfully complete at least 12 credit units per semester. Students who fail to fulfil this precondition have to pay their fees for the next semester; the tuition fees are reimbursed to the students at later semesters after they successfully complete 12 credit units. Financial assistance in the form of scholarships or loans with low interest is also given to a number of students attending Greek universities and other institutions of higher education abroad. The scheme for the grant of the above assistance to students with limited means was introduced in 1978/79. In 1993, 97 scholarships were granted involving a total expenditure of £C 101,600 and 21 loans were granted involving an expenditure of £C 21,600. The scheme is under revision for a drastic increase of the grants. The above scholarships as well as scholarships offered by foreign Governments or organizations are handled by an independent scholarship board.

357. Factors and difficulties related to making higher education equally accessible to all, including in particular problems of discrimination. The University of Cyprus accepts foreign students up to 20 per cent of its student population. Turkish Cypriots and Cypriots who belong to the Armenian community may be admitted to the University of Cyprus on the basis of their G.C.E. and G.C.S.E. examination results. A number of scholarships are granted by the Government of Cyprus with respect to these groups of students. Facilities are also offered by the Immigration Department of the Republic of Cyprus with regard to securing for the foreign students an entry visa and a stay permit.

358. The Ministry of Education and Culture, since the submission of the initial report, has given special emphasis to fundamental education by reinforcing the programme which concerns the Adult Education Centres. The Adult Education Centres of the Ministry of Education and Culture is the basic programme for adult education in Cyprus. This programme provides subjects for every citizen, improving knowledge and skills and developing the quality of life as well as the whole personality of the person. Some of these subjects are: health education, domestic science, parent's education, cultural activities, foreign languages, vocational training, literacy courses, etc.

359. In recent years there has been a special effort to improve the quality of Adult Education Centres by increasing the number of in-service training courses to educators, to modernize the curriculum, to develop computer science and expand the education for parents in urban as well as in rural areas. Adult education also provides projects which aim at giving to women equal opportunities of participation and expression and encouraging more schools to implement the programme of intergenerational cooperation. Finally, Adult Education Centres provide programmes which exploit the potential and meet the needs and interests of special groups of the population. The Adult Education

Centres are the only programme which offers education for people aged 14 and over without any discrimination among people, religions, sexes and races. Disabled people are also covered.

360. In 1993/94 enrolments in the Adult Education Centres reached 14,034, embracing 60 different subjects. More than 270 Adult Education Centres are functioning in both rural and urban communities. More than 430 part-time tutors work at the centres. The number of participants and centres is steadily increasing. This situation is quite encouraging, because the new policy is interested in both better organization of the system and enrichment of the programmes.

361. The main factor and difficulty affecting the degree of realization of the right to primary education and the progress achieved was the Turkish invasion of Cyprus in July 1974 which displaced 200,000 Greek Cypriots from their homes. The few Greek Cypriot children living in the areas under Turkish occupation are not allowed to have the teacher they want, or the necessary textbooks. The Ministry of Education and Culture is at the same time prohibited from freely exercising its rights on the running, staffing and operation of schools under Turkish occupation.

362. Further to the information provided in the preceding paragraphs during the period under review, there has been a development of non-formal education as well as other educational programmes aiming at servicing the following purposes:

(a) To help early school leavers and/or drop-outs supplement their basic education or increase their professional competency;

(b) To help secondary school graduates to enter the world of work;

(c) To help people already in the job market advance their professional knowledge; and

(d) To give adults opportunities to pursue interests which will help them to develop their personalities and enhance their contribution to the social, cultural and economic life of the community.

363. Table 1 (appendix G, document 1) highlights the extent of non-formal education during the years 1987-1992 as well as statistics on enrolments in adult education and subjects chosen and statistics on literacy (tables II and III, appendix G, documents 2 and 3).

364. For the purpose of financing the needs of the educational system, provision is made annually in the government budget with respect to:

(a) The general administration of the whole education system (Ministry of Education);

(b) The payment of teaching staff;

(c) The local school committees for the erection and maintenance of school buildings;

(d) The supply of equipment and other educational materials;

(e) Various welfare services to students.

365. Expenditure on all levels of education, both public and private, stood at £C 211.4 million for the year 1993, of which public expenditure amounted to £C 140.4 million and accounted for 12.9 per cent of the country's budget and 4.3 per cent of the Gross National Product. Analysis of government expenditure by level of education is shown in table 1 (appendix G, document 4). Statistical and other comparative data relating to the development of a system of schools are shown in table 2 (appendix G, document 5).

366. Equal access to the different levels of education is pursued through the various measures already mentioned above. Table 5 (appendix G, document 6) shows the enrolment ratio by age group, sex and level of education.

367. With regard to making education accessible to all children aged from 5½ to 11½ years, the Government of Cyprus has taken the following measures:

(a) Primary schools have been established and are functioning in all towns and villages, even the most remote ones. In very few villages where the pupil population does not permit the functioning of a primary school, adequate transportation is provided by the State to facilitate pupils attending nearby schools;

(b) Children belonging to linguistic, racial, religious or other minorities such as Armenians, Maronites, British, etc., are helped by the Government in many ways to attend private schools of their choice. Thus these children have the right to be educated according to their potentialities and their parents' wishes.

368. According to the Special Education Law, 47/79 and relevant regulations, special education geared to the needs of disabled children is free and compulsory. It is provided through integration of disabled children in the ordinary school system or at special education schools. Any child between the ages of 5 and 18 years suspected of having learning and/or behaviour problems may be referred to the proper authorities for possible special education placement. Before such decision is reached the child must undergo medical and psychological examinations. For this purpose, the legislation requires the establishment of district psychopedagogical committees consisting of a psychiatrist, a clinical psychologist, an educational psychologist, a social worker and a representative of the Ministry of Education. They identify the number of handicapped persons, the form and degree of the education programmes and facilities needed.

369. The government policy is not to segregate disabled children but to give them the opportunity to learn and grow together with normal children. They learn as much as their abilities and potentialities allow them to learn, in the normal school environment which satisfies their social, psychological and physical needs. Extra help is offered to these children by special education teachers. A total number of 108 special educators are offering individualized education programme to 2,100 children all over Cyprus. Moreover, most deaf

children are educated in special units attached to kindergartens or integrated in the mainstream of education. As from September 1992, a great number of blind children are also partially educated in the primary schools. Special units for autistic children are also functioning in ordinary schools as from September 1994.

370. For those children who suffer from such physical, mental, social or emotional problems which do not allow them to study and benefit from the ordinary school curriculum, the Government runs special schools where they can follow special programmes under the guidance of specially trained staff. They receive instruction in schools that are suitably equipped with audiovisual and other aids, which facilitate their work and their activities.

371. During the period under review the following special schools were in operation: five schools for trainable children; one school for the deaf; one school for the blind; two schools for spastic children; one school for emotionally disturbed children.

372. Self-care activities, occupational therapy, speech therapy, communication skills, functional academic skills and other subjects aiming at the development of the mental abilities of children to the maximum of their potential are included in the curriculum. In addition, special schools and units strive to ensure the provision of the highest attainable standard of health among their children. Moreover, special programmes are designed to ensure that the disabled child has effective access through the school system to training, health care services, rehabilitation services, preparation for employment, exercise and recreation opportunities.

373. At the same time, the Ministry of Education initiated the establishment of a foundation entitled "Movement for the Provision of Affection and Care towards People with Special Needs". The basic goal of the "Initiative Committee", which is presided by the Minister of Education, is to increase the awareness of the public to the needs and problems of people with special needs. This is achieved through the organization of various events and activities by the central committee in association with local district committees.

374. It is estimated that 80 per cent of the children who are in need of special education attend appropriate programmes. The number of children who attend programmes in special schools is shown in table 1 (appendix G, document 7).

375. As already stated above, the Cyprus Government offers free primary and secondary education as well as technical and vocational education to all students irrespective of their economic condition, race, colour, religion or group origin. To make secondary education equally accessible to all and to overcome any obstacles, such as poverty or any form of discrimination, a fellowship scheme for the subsidization of students' transportation expenses has been in operation since 1963. Under this scheme, the transportation expenses of students of rural areas with no adequate means of transportation are subsidized by the Government. Since 1976 the transportation scheme has been extended to cover all refugee students and in this case total payment of

transportation expenses is covered by the Government. Subsidization of tuition fees and transportation expenses also covers refugee and other needy students at private schools.

376. It is believed that the above-mentioned fellowship schemes have worked satisfactorily and have given equal opportunity to all students to pursue their schooling, by helping refugee, poor and needy students.

377. The language of instruction in public primary, secondary and technical and vocational schools is Greek. However, a number of private foreign language schools are run on a non-profit basis by various religious groups and give more emphasis on languages and general education. Their courses last six to seven years. Their languages of instruction are English, French and Italian.

378. A major reform, which was the result of an agreement reached between the Government and the Teachers Unions, was the decrease in the teaching hours of teachers which was put into effect in 1987/88. Due to this development employment levels have been increased. More specifically, there is no unemployment among primary school teachers. As regards unemployment among secondary school teachers, this cannot be easily defined and estimated because the majority of unemployed university graduates apply for employment somewhere outside the teaching profession. A teacher shortage appeared during 1986 in primary education, mainly because of the increase in the student population and the decrease of teaching hours of teachers. To cater for this shortage, an intensive in-service training was conducted at the Pedagogical Institute for university graduates who were interested in working temporarily as primary school teachers. During the years 1987-1991, 468 graduates were trained. For the same reasons 140 nursery teachers were also appointed as primary school teachers. The problem is expected to continue until 1996 and to cope with it the same measures will continue to be taken.

379. Teachers' salaries. Teachers' salaries compare with salaries of other civil servants and are at the same levels. The following salary scales exist as regards the various posts in the public education services in Cyprus:

(a) Primary education:

Teacher: Scale A5-A7-A8 = £C 323.36-£C 775.41

Assistant Headmaster: Scale A9 plus 2 increments + £C 626.23-£C 928.14

Headmaster: Scale A10-A11 = £C 706.00-£C 1,104.40

(b) Secondary education:

Teacher: Scale A8-A10 = £C 504.34-£C 975.86

Assistant Headmaster: Scale A11 plus 2 increments = £C 834.45-£C 1,171.86

Headmaster: Scale A12 plus 2 increments = £C 925.72-£C 1,351.51

(c) Administrative/supervisory:

Inspector, primary education: Scale A12-A13 = £C 925.92-£C 1,356.13

Inspector, secondary education: Scale A13 = £C 1,096.40-£C 1,356.13

Inspector General: Scale A14 = £C 1,175.20-£C 1,478.90

Head of Department: Scale A15 = £C 1,332.38-£C 1,602.10.

380. As regards the private sector, salaries of qualified teachers are not the same in all schools. In each particular case salaries are agreed upon by the school concerned and the teacher or the representatives of the teachers of the school. In several cases salaries of teachers in the private sector are lower than those in the public sector.

381. In cases where teachers are obliged to work overtime they are compensated according to regulations existing for overtime allowance. For extra-curricular activities they are granted a decrease of teaching hours.

382. A cost-of-living allowance is provided to almost all employees in the public and private sector. This is reviewed and adjusted accordingly, twice a year, during the months of July and December of each year. The cost-of-living allowance is now 120.72 per cent on the basic salary. In addition, there are the following allowances in the public sector:

(a) A rent as well as a travelling allowance is granted to primary school teachers;

(b) A special allowance is granted to the teachers of the Pedagogical Academy and the Pedagogical Institute which represents the amount of 3.5 per cent on their basic salary;

(c) Primary school teachers posted in a one-teacher or two-teacher school are granted a £C 15.00 monthly allowance if they serve for a period of 1 to 15 years and £C 20.00 monthly if they serve over 15 years.

383. The number of schools at all levels not established and administered by the Government during the period 1989-1994 is shown in the following table:

Private schools by level of education during the period 1989-1994

Year	Pre-primary	Primary	Secondary	Third level	Special
1989-90	342	19	24	20	0
1990-91	368	22	24	21	0
1991-92	395	23	25	23	0
1992-93	390	24	24	23	0
1993-94	397	21	22	23	0

384. The establishment and operation of private schools is provided by:

(a) The Private Schools' Law No. 5 of 1971;

(b) The Private Schools' Law No. 56 of 1983 (Amendment);

(c) The Private Schools' Law No. 23 of 1985 (Amendment);

(d) The Tertiary Education Schools' Law No. 1 of 1987;

(e) The Tertiary Education Schools' Law No. 44 of 1990 (Amendment);

(f) The Tertiary Education Schools' Law No. 93 of 1993;

(g) The Tertiary Education Schools' Law No. 201 of 1992.

385. During the reporting period, there have been no difficulties affecting the right of individuals and bodies to establish and direct educational institutions or the right to choose a school.

386. The Government of Cyprus in its effort to provide the right of everyone to education has secured through various technical assistance schemes (UNESCO, Commonwealth Fund for Technical Cooperation, Fulbright Programme, Cyprus American Scholarship Programme) expert services and training for educating disadvantaged groups of children, such as the mentally retarded, the hearing impaired and those with learning disabilities (dyslexic). Furthermore, the Government of Cyprus in its effort to improve and upgrade the quality of education offered has secured from the above-mentioned donors assistance in the fields of design and technology, computer-aided instruction, educational technology, etc. Additionally, international assistance from Europe, the Commonwealth countries and the United States of America is given to Cyprus in the form of scholarships for university studies at the undergraduate and graduate level, offering the opportunity to children from low income households to study abroad. This form of assistance was particularly important in the period directly following the Turkish invasion of 1974, when a large number of the population was displaced.

Article 14

387. As it has been stated above (art. 13), primary education in Cyprus is free and compulsory.

Article 15

388. As a result of the recognition of the need to strengthen the role of the State in the promotion of culture, the Ministry of Education by the enactment of Law 47(I) of 1993 has become officially also the Ministry of Culture of the Republic. The name of the Ministry has therefore changed to Ministry of Education and Culture. The former Cultural Service of the Ministry has also been upgraded into the Department of Cultural Services and has been properly staffed in order to be able to succeed in implementing the cultural policy of the State. The annual budget spent on culture has also been increased considerably.

389. The funds allotted to the Ministry of Education and Culture for the promotion of cultural development during the period 1984-1994 are shown on the following table:

Year	Cyprus pounds
1984	120 453
1985	109 298
1986	220 980
1987	315 702
1988	385 164
1989	350 172
1990	435 854
1991	507 513
1992	640 622
1993	829 751
1994	1 542 700 (estim).

Cultural centres

390. The Cultural Services of the Ministry of Education and Culture with a view to promoting popular participation in culture have initiated a scheme which subsidizes the establishment and operation of cultural centres in many areas of Cyprus. Some of the following activities are being organized in the cultural centres:

(a) Lectures on matters of general interest;

(b) Music and theatre performances;

(c) Events marking certain national and international anniversaries.

The scheme has been in operation over the last 10 years and has succeeded in providing the opportunity to people living in rural areas to enjoy the benefits of culture. The budget that has been spent on this scheme during the last five years ranges from £C 70,000 to £C 90,000 annually.

Libraries

391. By the enactment of the Cyprus Library Law, 51/87 a national library has been established. The functions of the Cyprus Library under this Law are the following:

(a) To acquire, process, preserve and promote the use of as much material as possible, particularly that of Cyprus' total production as well as a comprehensive collection, both current and retrospective, relating to Cyprus;

(b) To promote and encourage the use of library material by the public and to provide opportunities to the public for obtaining information therefrom by the establishment of lending and mobile libraries and through any other library services;

(c) To compile and publish a current national bibliography and retrospective national bibliographies;

(d) To compile and publish a catalogue of Cyprus periodicals and newspapers;

(e) To catalogue and classify the Cyprus Library's material as well as that of the other libraries attached to government ministries and departments, and to compile subject and other bibliographies;

(f) To provide guidance and assistance for the planning, organization and development of other libraries in Cyprus;

(g) To operate the agency for the registration of books, periodicals and other material in cooperation with competent international bodies;

(h) To run the agency for the national and international lending and exchange of library material between libraries in Cyprus and those abroad through various ways including the compilation of a union catalogue of material of all libraries in Cyprus;

(i) To create links and cooperation between Cyprus and libraries and information centres abroad.

392. Apart from the Cyprus Library, 36 new community libraries were set up, thus raising the initial number of rural community libraries to 140. The Cultural Services of the Ministry of Education and Culture are subsidizing the operation of community and municipal libraries.

393. In addition to the above, the Cultural Services of the Ministry of Education and Culture have established six mobile lending library units, which serve the needs of over 205 rural communities and refugee settlements.

Museums

394. The overall responsibility for the establishment and operation of government museums lies with the Department of Antiquities. During the period under review the Department of Antiquities pursued all its goals with particular emphasis on the preservation of the island's cultural heritage.

395. A number of private museums have also been established during the last years and are operating in various areas of the island. Some of these museums often apply to the Cultural Services of the Ministry of Education and Culture for a subsidy.

396. It is also to be noted that the Cultural Services of the Ministry of Education and Culture support the establishment and operation of private local museums for the promotion of traditional arts and crafts.

Theatres

397. The Cyprus Theatre Organization is responsible for the promotion of the art of theatre in Cyprus. In this respect it promotes artistic and cultural

activities as well as the development of cultural relations of Cyprus with other countries. With a view to implementing its development policy, the Cyprus Theatre Organization subsidizes the "independent" theatre, supports the amateur and school theatre, creates new and renovates old theatre buildings, promotes Cypriot playwriting and assists theatres of Cypriot communities abroad.

Cinemas

398. The Cultural Services of the Ministry of Education and Culture promote cinematography in Cyprus by subsidizing the cinema clubs. The promotion of the art of cinema is the responsibility of the Cinema Advisory Committee and it is achieved by the subsidization of film-making.

Traditional arts and crafts

399. The aim is to promote and improve many of the traditional folk art skills, by helping artisans to improve their techniques and maintain the quality of their product. There are three main ethnic groups in the Republic of Cyprus which constitute the 0.9 per cent of its population. These groups are the Maronites (0.5 per cent), the Armenians (0.3 per cent) and the Latins (0.1 per cent) and they enjoy the same rights and privileges as the Greek Cypriots. Their rights are guaranteed by the Constitution. The Ministry of Education and Culture is subsidizing the cultural activities of these groups like book publishing, performances, libraries, etc.

400. During the period under review, the role of the mass media and communication media in promoting participation in cultural life has been strengthened and reinforced mainly because of the operation of private broadcasting corporations and television stations. The ratio of programmes dedicated to culture has increased tremendously during the last few years. A variety of events covered by the various media (TV, radio, press) give the opportunity to all the people to get acquainted with their own culture and learn about the culture of other countries.

Measures aimed at the preservation of mankind's cultural heritage

401. The Department of Antiquities is part of the Ministry of Communications and Works and is responsible for all archaeological sites, ancient monuments, government museums of Cyprus, and also for all archaeological activities in the island. During the period 1982-1994 the Department of Antiquities pursued all its goals with particular emphasis on the preservation of the island's cultural heritage. The Department's activities concern the following:

(a) The excavation of archaeological sites;

(b) The conservation and restoration of archaeological remains and ancient monuments as defined by the First and Second Schedules of the Antiquities Law, ranging chronologically from the Neolithic period up to the nineteenth century AD (the conservation and restoration of ancient monuments also includes the restoration and conservation of the wall paintings decorating the interiors of the churches);

(c) The presentation of archaeological sites and ancient monuments for educational purposes and for the development of cultural tourism.

The above-mentioned aims are being promoted by the organization of seminars, lectures and exhibitions.

402. As far as the protection of ancient monuments and archaeological sites is concerned the following legislative and scientific measures are taken:

(a) The erection of new structures within archaeological zones is prohibited;

(b) No additions to existing structures within archaeological zones or sites are permitted with the exception of certain visitor facilities;

(c) Scientific protective measures are taken on a systematic basis to minimize the effect of industrial pollution on monuments;

(d) Special permanent protective measures such as appropriate covers/roofing to protect sites/structures from adverse weather conditions are taken when deemed necessary.

403. Government funds for the conservation, protection and promotion of monuments and archaeological sites included in the Department's annual budget, enable the above-cited measures to be realized.

404. Where conservation of public monuments (as defined by the Second Schedule of the Antiquities Law) is required, the Department of Antiquities contributes an amount of 30-50 per cent of the total cost for the restoration of houses/premises of folk culture.

405. The occupation of 37 per cent of the territory of the Republic of Cyprus by the Turkish Army since 1974 continues to have disastrous effects on the cultural heritage of the island. Many churches are being looted and their invaluable wall paintings, mosaics, guilt wood furniture and old icons are being destroyed or removed for sale abroad. Stolen and illicitly exported antiquities from the part of Cyprus occupied by the Turkish Army continue to be traced on the illegal market abroad and efforts are continuously being made for their repatriation. In this respect, the return to Cyprus in 1991 after a court ruling at Indianapolis, United States of America, of the illegally detached and exported Kanakaria mosaics, can be considered a major success.

406. The Department, in collaboration with other government agencies, Church authorities and the House of Representatives, never fails to appeal to all relevant international organizations to safeguard the island's cultural heritage which is in peril.

407. There is no specific legislation regarding the freedom of artistic creation and performance.

408. There are no schools in Cyprus which offer professional education in the fields of culture and art. Therefore, the Republic of Cyprus grants a number of scholarships in these fields to citizens of the Republic to study abroad.

409. The Cultural Services of the Ministry of Education and Culture promote the following activities which aim at the conservation, development and diffusion of culture:

(a) Lectures on literature and culture, aiming at the promotion of the participation in cultural life in many rural areas;

(b) Book fairs in Cyprus and abroad;

(c) Publishing and purchasing books by Cypriot writers;

(d) Supplying universities and libraries abroad as well as many cultural centres in Cyprus with numbers of editions of Cypriot studies;

(e) Establishing and supporting mobile lending libraries, communal libraries and municipal libraries;

(f) The use of certain ancient monuments, following their restoration, as cultural centres;

(g) Encouraging the establishment and operation of small educational exhibitions within schools, communities and universities;

(h) Granting literary awards to outstanding Cypriot writers and publishing the cultural magazine Cyprus Today;

(i) Providing financial aid to many artists to enable them to participate in art exhibitions abroad;

(j) Providing financial aid to writers and poets who wish to attend conferences, symposia, seminars, etc. abroad;

(k) Supporting modern Cypriot art by purchasing paintings and other art products;

(l) Establishing in 1990 in Nicosia the State Gallery of Contemporary Art;

(m) Encouraging Cypriot folk dance groups to perform in Cyprus and abroad;

(n) Establishing in 1987 the State Chamber Orchestra and Youth Orchestra, giving opportunities to new Cypriot musicians to perform in Cyprus, Greece and other countries;

(o) Organizing annually since 1991 the "Cypria" International Festival (encompassing theatre, classical and modern dance, music, opera; cinema, art exhibitions);

(p) Promoting the enactment of the law which provides for a minimum percentage for the enrichment of the public buildings with pieces of art.

410. The cultural policy of the Republic and the measures taken for the implementation of this policy have succeeded in increasing the degree of participation in cultural life and have promoted artistic creation.

411. The Ministry of Education and Culture has initiated a scheme, which provides for a monthly subsidy to persons who have contributed to the promotion of cultural life in Cyprus.

Measures aimed at promoting a healthy and pure environment

412. Cyprus is a developing country and protection of the environment is not a marginal problem but a priority problem. Environmental policy is applied by the Council of Ministers through the Minister of Agriculture, Natural Resources and Environment who is the Minister responsible for administering overall control and coordination over the protection and preservation of the environment, excluding town and country planning issues for which competence is vested with the Minister of the Interior and the Planning Council.

413. The laboratory of the Department of Agriculture carries out the following activities with the basic aim of advising farmers accordingly but at the same time having in mind the protection of human health and the environment:

(a) Pesticide residue analyses on various agricultural products in order to be able to advise farmers on the rational use of pesticides;

(b) Pesticide formulation control under the Pest Control Products Laws, which includes the registration, quality control and labelling of all pest control products used in Cyprus.

414. As far as the environmental protection and preservation of natural heritage in Cyprus are concerned, considerable progress has been achieved and an important number of measures are under formulation (see appendix H, documents 1-7).

415. The Public Health Villages Regulations, the Improvement Boards Villages Regulations as well as Municipal Regulations contain, inter alia, provisions which regulate and safeguard the environment for each citizen. Briefly, these provisions concern sanitary conditions, the protection of potable water, refuse disposal, the cleanliness of public and private places, the operation of food premises, the elimination of insects of medical importance. These provisions are implemented by the Ministry of Health in close cooperation with District Officers and Local Authorities.

416. The Department of Agriculture, which forms part of the Ministry of Agriculture, Natural Resources and Environment has, as one of its basic aims, the provision of information, technical advise and training as regards the latest scientific progress on agricultural practices. In order to achieve this aim the Department of Agriculture cooperates closely with the Agricultural Research Institute which is responsible for undertaking agricultural research and the transmission of its finding to the Department of Agriculture.

417. Mass communication media, group methods, personal contacts, lectures at the Agricultural Training Centres are used intensively by the Department of Agriculture. The Agricultural Extension Service of the Department of Agriculture has as a primary objective to advise, inform and train the rural population in new and improved farming techniques and methods. The Agricultural Extension Service consists of the Extension Section at headquarters and the six District Agricultural Offices.

418. At the same time, the Department of Agriculture implements development programmes and projects which aim, inter alia, at the encouragement and promotion of farm technological improvements. In addition, the specialized sections of the Department of Agriculture are in close cooperation with the District Agricultural Offices in order to ensure the successful implementation of the development programmes and projects. The most important of these programmes and projects which are under implementation are listed below:

(a) Planning and Installation of Improved Irrigation Systems;

(b) Encouragement of Forage Cultivation and Hay Making;

(c) Soil Surveys and Plant Nutrition;

(d) Improvement and Encouragement of New Plant Varieties;

(e) Project for the Certification of Plant Propagating Stock;

(f) New Methods for Pest Control;

(g) Production of Certified Seeds;

(h) Encouragement of Horticulture and Floriculture;

(i) Genetic Improvement of Animal Production;

(j) Integrated Livestock Development Projects.

419. There is no need for the Department of Agriculture to take any measures for the prevention of the use of scientific and technical progress for purposes which are contrary to the enjoyment of all human rights.

Protection of moral and material interests of authors

420. In the principal laws and regulations concerning the protection of moral and material interests of authors are the following:

Berne Convention for the Protection of Literary and Artistic Works (Ratification) Law 1979: 86/79;

The Copyright Laws 59/76, 63/77;

The Copyright (Amendment) Law 1993;

The Copyright Regulations, 1971;

Chapter 266, Patents Law. This Law is under revision and a new bill has already been prepared.

(See appendix H, document 8.)

421. It is to be mentioned that the Cyprus ISBN Centre started its function in 1983, thus facilitating the identification of the original work and its publication date.

422. The conservation, development and diffusion of science and culture are achieved mainly through the educational system and free-market as well as the free information structure of the country and by means of the communication media. In the whole educational system of Cyprus, science and culture maintain an important part of the syllabus. As far as science is concerned, the aim of the syllabus is to give to all students the opportunity to understand science and its applications in everyday practice so as to be able to enjoy the benefits of scientific progress.

423. With a view to further promoting the conservation, development and diffusion of science and culture, apart from the relevant subjects already in curriculum, a number of new programmes have been introduced like educational visits to museums, the organization of students' symposia within the framework of the UNESCO Associated Schools Projects, students' exchanges and school links and also a new subject called "Design Technology".

424. Research in Cyprus is effected by the University of Cyprus whose main objective, as stated in its charter, is the development of knowledge through teaching and research for the social and economic development of Cyprus. The research activities of the University of Cyprus have grown significantly, after only two years of academic life. The university's research programmes cover a wide range of subjects that correspond to existing specializations and the university's departments. Around 75 research programmes have been initiated and around 30 have been proposed for the academic year 1994/95.

425. The Research Committee of the university is the body responsible for the enhancement of the university's research activities. The Committee consists of two representatives from each school and the head of external affairs and projects. The Research Committee coordinates the procedure of approval, preparation, undertaking and completion of research at the university, and its evaluation. In particular, the Research Committee:

(a) Makes recommendations regarding the university's research budget;

(b) Encourages and coordinates the submission of proposals for research programmes;

(c) Evaluates the scholarly and financial suitability of the proposed research programmes;

(d) Is responsible for the assessment and evaluation of research proposals that require financing from university funds and approves programmes that are submitted for external financing;

(e) Submits a report to the Senate regarding the allocation of the research budget;

(f) Is responsible for the periodic monitoring of the progress of the research programmes and evaluates the realization of their goals after their completion;

(g) Is responsible for the implementation of the Senate's decisions regarding research.

426. In the 1993/94 university budget, an amount of 800,000 Cyprus pounds in direct and indirect costs was allowed for research.

427. In addition to the academic staff, the following categories of people participate in research at different levels;

(a) Undergraduate students. The research work of these students is not usually expected to be original. However, students learn the methodology and techniques of carrying out research in their field;

(b) Postgraduate students. The research work of these students is considered to be part of the research activity undertaken at the university;

(c) Research assistants, who on appointment are already knowledgeable about their area of research, are employed in many programmes financed by the university.

428. At the University of Cyprus there are also research programmes which operate with external financing such as those funded by the European Union, thus strengthening the research work of the institution. The fields that have priority within the Fourth Framework Programme of the European Union are the following:

(a) Information and communication technologies;

(b) Environment;

(c) Life sciences and technologies;

(d) Non-nuclear energy;

(e) Socio-economic research.

429. The University of Cyprus has prepared a number of research programmes that correspond to the above categories and which will be submitted for financing by the European Union. The university participates in the European Community's AVICENNE programme with a research programme submitted by the Natural Sciences Department on Environmental Pollution. The university is eligible for participation in the TEMPUS programme, which makes possible exchanges of academics and students among European universities. It already participates actively in the programmes MED-MEDIA and MED-CAMPUS, which cover various areas and involve other Cypriot institutions.

430. Within the framework of its scholarly contribution the academic staff of the university have published during 1993, more than 200 papers in international journals. The University of Cyprus is already known to the international scholarly community, through its publications in various international scholarly journals and through the participation and presentation of papers in international seminars, conferences and symposia of various organizations and higher educational institutions. Research cooperation has been established with many universities and research centres of Europe, United States of America and the Mediterranean.

431. The existing departments of the university do not yet cover all the needs of the Cypriot economy/society and important disciplines such as engineering, medicine, tourism have not yet been established. Nevertheless, there are many opportunities for establishing close relationships within the developing economic and research interests of Cyprus in these areas.

432. The University of Cyprus has the potential to substantially contribute to Cypriot society in research programmes, collaborating with various sectors of cypriot industry and commerce. Cypriot industry and government departments, State corporations and organizations (e.g. Cyprus Airways, the Electricity Authority of Cyprus, the Cyprus Telecommunications Authority), as well as public corporations, can be helped through cooperation with the university. Research programmes contribute to the economy's vitality and assist companies and organizations in upgrading the quality of their products and services.

433. The university's departments and academic staff cooperate with various sectors of Cypriot society on research programmes that almost exclusively aim at the needs of Cyprus. Specific examples of some of these research programmes are as follows:

(a) The Department of Natural Sciences has begun work on studies concerning environmental pollution, the use of natural resources and alternative forms of energy in Cyprus;

(b) The Computer Science Department, in collaboration with the Ministry of Health and the Cyprus Institute of Neurology and Genetics, is studying applications of information to medical diagnosis. The same department is also cooperating with the Meteorological Department of Cyprus on weather forecasting;

(c) The Economics Department is working on a study of an econometric model for the financial sector of Cyprus and the Cyprus economy in general;

(d) The Archaeological Research Unit, in collaboration with the Department of Economics and the Bank of Cyprus, is studying the economy of Cyprus through the ages;

(e) The Department of Public and Business Administration is studying the administration of computer information systems for the banking sector in Cyprus;

(f) The Department of Mathematics and Statistics cooperated successfully with the State radio (CyBC) for the timely forecasting of the results of the last presidential elections. The same department is also carrying out a study in collaboration with the Government Meteorological Service on rainfall in Cyprus;

(g) The Department of Greek Studies, Philosophy and History is involved in research programmes related to Cypriot history and letters. These include studies on the Middle Ages, Byzantine manuscripts of Cyprus, the Cypriot dialect, a new critical edition of the Chronicle of Leontios Machaeras, as well as a new annotated commentary of the stoic philosophers who worked in Cyprus;

(h) The Department of Education is undertaking programmes that concern the aspirations of parents and educators, the effectiveness of schools and the roles and training needs of headmasters;

(i) The Department of Foreign Languages and Literature is involved in an interdisciplinary programme in collaboration with other university departments on the role of Cyprus as a bridge between east and west.

434. The University of Cyprus will, in the future, be in a position to take advantage of opportunities that may arise through various bilateral cooperation agreements between Cyprus and other countries. These will foster cooperation with institutions abroad and contribute to the exchange of knowledge among academics. The university's objective is to gain recognition as a research centre and cooperate with other research institutions in the Mediterranean area. The continuous expansion of cooperation and extension of research programmes will enable the university to fulfil its objective as stated in its charter.

435. The Ministry of Education and Culture subsidizes the activities of learned societies and other organizations and institutions engaged in scientific research and creative activities. It also encourages them to undertake the organization of national and international seminars or conferences and offers them every possible support. Financial limitations and other economic and social priorities have affected the degree of realization of this freedom.

436. International contacts and cooperation in the scientific and cultural fields are effected through bilateral agreements between Cyprus and various countries (26 countries). These bilateral agreements concern scientific, cultural and educational matters and provide, inter alia, for:

(a) Scholarships for educational and training courses in the aforementioned fields;

(b) The organization of art and book exhibitions and of musical events;

(c) Educational visits and exchanges with other contracting parties.

437. The Government of the Republic of Cyprus encourages and subsidizes the participation of scientists, writers, artists and others in international scientific and cultural events. However, better international cooperation is adversely affected by financial limitations and increased travel costs.

438. During the reporting period, no changes have occurred in national policies, laws and practices negatively affecting the rights enshrined in article 15.

439. The Government of Cyprus in its effort to pursue the full realization of the rights enshrined in article 15 has taken full advantage of the assistance offered by the international organizations, in the form of training courses, scholarships, experts advice, etc.